

ADDENDUM

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 21 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAMES MILLER; et al.,

Plaintiffs-Appellees,

v.

ROB BONTA, in his official capacity as
Attorney General of the State of California;
LUIS LOPEZ, in his official capacity as
Director of the Department of Justice Bureau
of Firearms,

Defendants-Appellants.

No. 21-55608

D.C. No. 3:19-cv-01537-BEN-JLB
Southern District of California,
San Diego

ORDER

Before: SILVERMAN, NGUYEN, and R. NELSON, Circuit Judges.

The motion by the State of Arizona, et al. (Docket Entry No. 9-1) for leave to file an amicus brief in opposition to appellants' motion for a stay pending appeal is granted. The clerk will file the amicus brief (Docket Entry No. 9-2).

The district court's June 4, 2021 order and judgment are stayed pending resolution of *Rupp v. Bonta*, No. 19-56004. The stay shall remain in effect until further order of this court.

Briefing in this appeal is stayed.

Within 14 days of this court's decision in *Rupp v. Bonta*, the parties shall file a status report and may request appropriate relief.



Mail Fraud Complaint

Your Information

Company Name: _____
 * First Name: JEFFREY * Last Name: CUTLER
 * Address: P.O. BOX 2806
 * City: YORK
 * State: Pennsylvania
 * ZIP Code: 17405
 * Country: UNITED STATES
 Cell Phone: (717) 854-4718 Work Phone: (215) 872-5715
 Home Phone: _____ Fax: _____
 Email Address: ellaxcollector@gmail.com
 Age Range: 65 or older
 Are you a Veteran? ☐ Yes ☒ No

Complaint Filed Against

Company Name: THERN DISTRICT OF TEXAS
 First Name: LYNN Last Name: HUGHES
 Address: 515 RUSK STREET
 City: HOUSTON
 State: Texas
 ZIP Code: 77002
 Country: UNITED STATES
 Cell Phone: _____ Work Phone: (713) 250-5500
 Home Phone: _____ Fax: _____
 Email Address: _____
 Website Address: https://www.bsa.uscourts.gov/offices/houston-division

How Were You Contacted?

How were you contacted? US Mail
 On what date were you contacted? 06/21/2021
 Do you have the envelope it was mailed in? ☐ Yes ☒ No

How Did You Respond to This Offer?

How did you respond to this offer? Phone
 Response Mailed to a Different Address? ☐ Yes ☒ No
 Do you have a Tracking Number? ☒ Yes ☐ No
 (Certified, Insured or Express Mail?)
 Tracking Number: 9505514149081166473337
 What did you receive? NOTHING-JUDGE LYNN HUGHES TOOK THE DOCUMENT WITH NO RULING AND OBSTRUCTED JUSTICE TO KEEP BILL COSBY AND COVER FOR FBI MISCONDUCT
 (max size 250 characters)
 How did it differ from what you expected? EXPECTED DOCUMENT TO BE ONLINE
 (max size 250 characters)

How much did the company ask you to pay (\$)? 505.00
 Do you have the item? ☐ Yes ☒ No
 How was it delivered? US Mail
 Did you contact the company or person about the complaint? ☐ Yes ☒ No
 Date Last Contacted Company or Person: 06/29/2021

Did You Lose Money?

Lose Money: ☒ Yes ☐ No
 Payment Type: Credit Card
 Payment Amount(\$): 75.00
 Payment Date: 06/15/2021

Type of Mail Fraud Complaint

Scheme Category: Fiduciary
 Scheme Type: Bribery/Kickbacks/Embezzlements

Additional Information

(max size 1000 characters)
 JUDGE LYNN HUGHES STOLE THE 242 PAGE MOTION TO RECONSIDER BECAUSE OF CRIMES (18 U.S. Code § 1519 - Destruction, alteration, or falsification of records), 18 U.S. Code § 872 - EXTORTION BY OFFICERS OR EMPLOYEES OF THE UNITED STATES, 18 U.S.C. § 3 ACCESSORY AFTER THE FACT MURDER, BANKRUPTCY FRAUD, 15 U.S.C. §§ 78dd-1, & MAIL FRAUD AND TO COMBINE CASES FOR JUDICIAL EFFICIENCY AND SUMMARY JUDGEMENT in case CASE NO. 4:21-cv-01774 in the Southern District of Texas. It is ILLEGAL to SELL DRUGS BEYOND THE PRINTED EXPIRY DATE ON THE LABEL. Per United States of America v. Quality Eggs, LLC, 99 F.Supp. 3d 920 (D. Iowa Apr. 14, 2015) TO CONCEAL THE MURDER OF AT LEAST 2 FEDERAL AGENTS ALSO TALKED TO Andrea Parker [409-981-7938] US Attorney's Office Eastern District of Texas about this and FOIA request FOIA-2020-01319



Mail Fraud Complaint form submitted successfully. 02JUL2021 2:25 AM

Thank you for completing the form.

The information you provided will be entered into our national complaint system.

The U.S. Postal Inspection Service gathers data on mail-related crime to determine whether a violation has occurred. While we can't guarantee that we can recover lost money or items, your information can help alert inspectors to problem areas and possibly prevent other people from being victimized. U.S. Postal Inspectors base their investigations on the number, substance, and pattern of complaints received from the public.

We ask you to keep all original documents related to your complaint. We will contact you ONLY if more information is needed.



Erie Insurance

AFFIDAVIT OF VEHICLE THEFT

(ALL QUESTIONS MUST BE ANSWERED)

CLAIM NUMBER

A00003279856/Mixell

INSURED

NAME OF OWNER JEFFREY CUTLER			
ADDRESS OF OWNER P.O. BOX 2806 YORK, PA 17405			
NAME OF INSURED JEFFREY CUTLER	DATE OF BIRTH 04/16/1954	MARITAL STATUS SINGLE	SOCIAL SECURITY NO. [REDACTED]
ADDRESS P.O. BOX 2806	DRIVER'S LICENSE NO.	HOME PHONE NO. (717) 854-4718	
OCCUPATION DEFENDER OF CONST	BUSINESS PHONE NO. 215-872-5115	EMPLOYER AND ADDRESS P.O. BOX 2806	

LOSS DESCRIPTION

DATE OF THEFT OCT 2, 2017	TIME 1:00 PM	AMOUNT YOU ARE CLAIMING \$57,000.00	WAS VEHICLE LOCKED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	WERE KEYS LEFT IN VEHICLE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
SPECIFIC LOCATION FROM WHICH VEHICLE TAKEN PARKING LOT 67 CAMBRIDGE PLG			REASON VEHICLE AT THIS LOCATION	
NAME AND ADDRESS OF PERSON WHO LEFT VEHICLE THERE JEFFREY CUTLER				THEIR DRIVER'S LICENSE NO.
NAMES AND ADDRESSES OF OTHERS WHO WERE PRESENT 6 POLICE OFFICERS OF EAST LANCASTER POLICE DEPT				
DATE THEFT DISCOVERED OCT 2, 2017	TIME 1:00 PM	BY WHOM JEFFREY CUTLER	DATE REPORTED TO POLICE OCT 2, 2017	TIME 1 PM
LOCATION OF POLICE STATION 2250 OLD PHILA PIKE		POLICE OFFICER		
VEHICLE RECOVERED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	WHEN	WHERE	BY WHOM	
CONDITION OF VEHICLE GOOD	SUSPECTS OR ARRESTS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		WHO	
MAKE OF VEHICLE DODGE CARMAN 2006	YEAR	MODEL CARMAN STX	BODY TYPE VAN	COLOR BLUE
VEHICLE IDENTIFICATION NO. (MFG. SERIAL NO.) 1D8G45R508		LICENSE PLATE NO. HCX1910		STATE PA
HAS VEHICLE BEEN DAMAGED OR STOLEN IN LAST 3 YEARS? <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, DESCRIBE, LOCATION, TYPE, AMOUNT(S), DATE(S)		
WERE REPAIRS COMPLETED? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> PARTIALLY	BY WHOM	PAID BY INSURANCE CO.? <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME AND ADDRESS OF INSURANCE CO.	
NAME OF INSURANCE CO. AND AGENT ON OTHER VEHICLES IN HOUSEHOLD				
PRIOR INSURANCE CO. AND AGENT				
ANY OTHER CLAIMS ON THIS OR ANY OTHER VEHICLE? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DESCRIBE				

VEHICLE EQUIPMENT

PLEASE CHECK EQUIPMENT YOUR CAR HAD.	
<p>TRANSMISSION</p> <p>Engine <input type="checkbox"/> 4 cyl <input checked="" type="checkbox"/> 6 cyl <input type="checkbox"/> 8 cyl</p> <p>CID/Liters</p> <p>Gas/Diesel</p> <p>Fuel Injected</p> <p>Turbo</p> <p>Auto. Trans. <input checked="" type="checkbox"/></p> <p>Auto. w/overdr.</p> <p>Standard</p> <p>3 spd</p> <p>4 spd</p> <p>5 spd</p> <p>w/overdrive</p>	<p>GENERAL EQUIPMENT</p> <p>Power Steering</p> <p>Power Brakes</p> <p>Vinyl Roof</p> <p><input type="checkbox"/> Full <input type="checkbox"/> Landau</p> <p>4 Wheel Anti-Lock Brake System</p> <p>Air Cond.</p> <p>Power Windows</p> <p>Power Seats</p> <p>Power Door Locks</p> <p>Tilt Steering Wh.</p> <p>Telescopic St. Wh.</p> <p>Cruise Control</p> <p>Rear W. Defogger</p> <p>Two-Tone Paint</p> <p>Elec. Steel Sun R</p> <p>Elec. Glass Sun R</p> <p>Manual Sun Roof</p> <p>Flip-up Sun Roof</p> <p>Glass T-Top/Panel</p> <p>Roof Rack</p> <p>Auto Load Level</p> <p>Wire Wheel Covers</p> <p>Custom Wheels</p> <p>Leather Seats</p> <p>Special Package</p> <p>Other</p>
<p>ENGINE</p>	<p>RADIOS</p> <p>Factory Installed</p> <p>Owner Installed</p> <p>AM</p> <p>AM/FM</p> <p>AM/FM Stereo</p> <p>AM/FM Stereo Tape</p> <p>Disc</p> <p>Cassette</p> <p>AM/FM Stereo/CB</p> <p>CB</p> <p>Other</p>
<p>ADDITIONAL EQUIPMENT</p> <p>4 WD</p> <p>Short Bed</p> <p>Long Bed</p> <p>Rear Step Bumper</p> <p>Sliding Rear Window</p> <p>Aux. Fuel Tank</p> <p>Dual Air (Trucks, Vans)</p> <p>No. Passenger</p> <p>Deep Tinted Glass</p> <p>Custom Interior/Exterior</p> <p>Other</p>	
OTHER SPECIAL FACTORY PACKAGES	

VEHICLE CONDITION	CONDITION OF	BELOW AVERAGE	AVERAGE	ABOVE AVERAGE	OTHER DISTINCTIVE FEATURES (DENTS, DECALS, TRAILER HITCH, INTERIOR, ETC.)	
	PAINT					SWASTIKA KEYCHAIN ON PASSENGER DOOR POLICE REPORT 1572008899
	TRANSMISSION					
	ENGINE					
	BODY					
DETAIL ANY RUST						
NAME AND ADDRESS OF GARAGE USED FOR ROUTINE MAINTENANCE					DATE OF LAST SERVICE	
NAME AND ADDRESS OF GARAGE USED FOR STATE INSPECTION					DATE OF LAST INSPECTION	

PERSONAL ITEMS	ITEMIZE ALL PERSONAL ITEMS IN THE VEHICLE AT THE TIME OF THEFT		
	DATE OF PURCHASE	PURCHASE PRICE	ITEM
			EVERYTHING AT ADD000575634
			CLAIM OPENED NOV 2, 2017
			CLOSED 21 MAR 2020
			EVERYTHING AT 67 CAMBRIDGE VILLAGES BY POLICE & H/QT INC
			REPORTED TO AA, POLICE 91751
			SIRB 5119-CU-00634 ECF 120 2/25/20

PURCHASE/FINANCE	HOW DID YOU LEARN THIS VEHICLE WAS FOR SALE? <div style="text-align: center; font-size: 1.2em;">INTERNET</div>			
	SELLER, DEALER OR INDIVIDUAL'S NAME		ADDRESS	
	CITY/STATE			
	DATE PURCHASED	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> USED	<input type="checkbox"/> DAMAGED <input type="checkbox"/> LEASED	<input type="checkbox"/> REBUILT PURCHASE PRICE \$ 5500.00
	TRADE-IN VEHICLE	ALLOWANCE	PAID <input type="checkbox"/> CASH AMOUNT <input type="checkbox"/> CHECK AMOUNT	
	WAS VEHICLE FINANCED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, NAME AND ADDRESS OF FINANCE CO.		
	YOUR ACCOUNT NO.	BALANCE DUE	LOAN TERMS	MONTHLY PAYMENT
	IS YOUR ACCOUNT PAST DUE? <input type="checkbox"/> YES <input type="checkbox"/> NO	HOW LONG		
	DO YOU HAVE OTHER VEHICLE THEFT INSURANCE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			

OTHER	ARE VEHICLE KEYS IN YOUR POSSESSION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, HOW MANY IGNITION _____, TRUNK _____	
	NAME OF INSURANCE COMPANY	
	TITLED OWNER OF VEHICLE <div style="text-align: center; font-size: 1.2em;">LESTER LUTER</div>	TITLE NUMBER AND STATES <div style="text-align: center; font-size: 1.2em;">6250826104 CV</div>

NOTICE: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

I certify the answers I have given are true to the best of my knowledge and belief.

(Policyholder's Signature)

5-21-21
(Date)

(Witness)

(Additional Policyholder's Signature)

(Date)

(Owner's Signature)

(Date)

(Additional Owner's Signature)

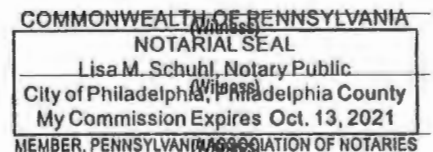
(Date)

Policyholder's Address PA Box 2606 YORK PA 17405

C124PA 5/17

Subscribed and sworn to me this

21st day of May, 2021



NOTARY PUBLIC (Include Seal)

ERIE Claim # A00003279856/Mixell

AUTHORIZATION/RELEASE OF INFORMATION

I/We hereby authorize any credit institution, lending institution or any other financial institution or entity in possession of business records relating to me/us to furnish to Erie Insurance or its representative any information requested with regard to my/our credit history, including, but not limited to, credit card accounts, personal loans, automobile loans, mortgage loan information and documentation, automobile sales documents, automobile sales tax forms and related documents.

A photostatic copy or carbon copy of this Authorization shall be considered effective and as valid as the original.

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

DATE 20 MAY 2021 (Signed) [Signature] Insured

Date of Birth 16 APR 1954

Social Security No. [REDACTED]

DATE _____ (Signed) _____ Additional Insured

Date of Birth _____

Social Security No. _____

P 3 OF 14



PL 10 14

COMMONWEALTH OF PENNSYLVANIA REGISTRATION CREDENTIAL

EXPIRY: OCT 31, 2017 VALID: 10/13/16

PLATE: HCX1910

TITLE: 62508228104 CU

VIN: 1D8GP45R56B57183

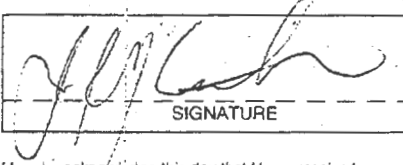
YR/MAKE: 2006 DODGE

TYPE: SW

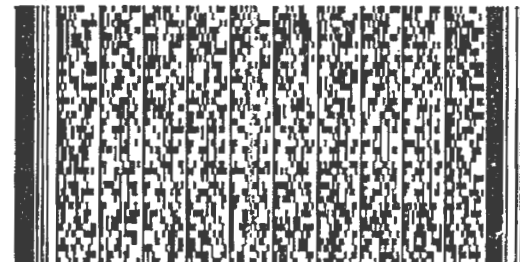
WID: 16287 2600 010660-003

EMISSIONS INSPECTION REQUIRED/DIESEL VEHICLES EXEMPT COUNTY: YORK

JEFFREY S CUTLER
67 CAMBRIDGE VILLAGE
P O BOX 2806
YORK PA 17405


SIGNATURE

I hereby acknowledge this day that I have received notice of the provisions of Section 3709 of the Vehicle Code.



CHINA IS ENGAGED IN BIO-WARFARE AGAINST THE WORLD, MURDERED 3 MILLION PEOPLE AND DID AN EFFECTIVE WAIVER OF SERVICE 24APR2021, CASE 1:20-cv-00099 EASTERN DISTRICT OF MISSOURI.

On 14MAY2021 at 2:14 PM Jeffrey Cutler filed a 309 PAGE MOTION TO INTERVENE, AND INJUNCTIVE RELIEF BECAUSE OF CRIMES (18 U.S. Code § 1519 - Destruction, alteration, or falsification of records), 18 U.S. Code § 872 - EXTORTION BY OFFICERS OR EMPLOYEES OF THE UNITED STATES, 18 U.S.C. § 3 ACCESSORY AFTER THE FACT MURDER, BANKRUPTCY FRAUD, 15 U.S.C. §§ 78dd-1, & MAIL FRAUD AND TO COMBINE CASES FOR JUDICIAL EFFICIENCY AND SUMMARY JUDGEMENT CASE # 2:20-cr-00210 EASTERN DISTRICT OF PENNSYLVANIA. 10MAY2021 was <ref> Jerusalem_Day </ref> https://en.wikipedia.org/wiki/Jerusalem_Day </ref> On 19APR2021 at 3:44 PM Jeffrey Cutler filed a 211 page motion to do the same thing as in the case for 2:21-cr-00170 . That document VANISHED in FEDERAL COURT despite calls to the clerks office and on 21APR2021 and 22APR2021 Jeffrey Cutler called TWICE EACH DAY the AUSA handling case number 2:21-cr-00170, (MARK DUBNOFF 215-861-8397). The U.S. Attorney's office HAS ALSO PROGRAMMED Mr. Cutler's cellphone and LAND LINE NUMBER to be excluded by the office of ASUSA, A BRADY VIOLATION, AND VIOLATION OF THE U.S. CONSTITUTION AMMEND 1. This document and the case for 2:21-cr-00170 has information about the MURDER of 2 BLACK AUSA's, Jonathan Luna <ref> https://en.wikipedia.org/wiki/Jonathan_Luna </ref> (Found 04DEC2003) and <ref> https://en.wikipedia.org/wiki/Beranton_Whisenant </ref> Beranton Whisenant (Found 25MAY2017) were also MURDERED by possibly members of the KKK OR THE 5 BLACK CHILDREN CREMATED ALIVE ON NATIONAL TV 13MAY1985 BASED ON 2 BOMBS FURNISHED BY THE [[FBI]]. On 06APR2021 at 2:34 PM Jeffrey Cutler filed a 356 page EMERGENCY EXPEDITED PETITION TO INTERVENE, AND INJUNCTIVE RELIEF BECAUSE OF CRIMES (18 U.S. Code § 1519 - Destruction, alteration, or falsification of records), 15 U.S.C. §§ 78dd-1, & MAIL FRAUD AND TO COMBINE CASES FOR JUDICIAL EFFICIENCY AND SUMMARY AFFIRMATION in person at the federal courthouse in Philadelphia at 601 Market Street case # 19-1842. On 06APR2021 at 4:10 PM a clerk called that they had the document. This DOCUMENT has also VANISHED!!! Watch https://www.youtube.com/watch?v=mgCle8F_zUk for more information and read comments sorted newest first. Also see <ref> <https://www.americanfreedomlawcenter.org/case/jeffrey-cutler-v-u-s-dept-of-health-human-services/> </ref> and <ref> <https://www.brennancenter.org/legal-work/corman-v-torres> </ref> <ref> <https://redistricting.lls.edu/files/PA%20corman%2020180724%20brief.pdf> </ref> <ref> https://www.pacemonitor.com/public/case/27231978/CUTLER_v_PELOSI_et_al </ref> As an Official Whistle Blower in the Commonwealth of Pennsylvania, Jeffrey Cutler declares the actions Mr. Krasner, the Mayor of Philadelphia, and the Governor were a concerted effort to legally Murder Jews and Blacks. Mr. Cutler ran for governor as a Pro Se candidate against Tom Wolf and had an advertisement in the METRO paper on 24OCT2018 page 15 :titled "SAVE BILL COSBY". On 03JAN2019 [[Nancy Pelosi]] made a false statement in court via her lawyer (Mr Donald B. Verilli Jr.) and stated "[N]o one would be hurt and the greater justice would be attained" and violated (18 USC § 1001) on 03JAN2019 on page 24 of the filing that was made in case 4:18-cv-00167-0, a significant federal crime. On 26FEB2019 Jeffrey Cutler filed a lawsuit in FEDERAL COURT 5:19-cv-00834 in [[Philadelphia]] against [[Nancy Pelosi]] called (CUTLER v. PELOSI, et al.). This is 26 YEARS AFTER THE FIRST WORLD TRADE CENTER BOMBING. ON 12APR2018 MR. TORRES ISSUED AN ORDER THAT SPECIFIED ALL VOTING METHODS MUST HAVE A HARD COPY RECEIPT AVAILABLE. DROP BOXES FAILED THIS AND THEREFORE ILL EAGLE. TRUMP WON.

07/13/2017
07/13/2017
07/13/2017



Tax Collector
East Lampeter Township
1510 Old Philadelphia Pike
Lancaster, PA 17602

JUNE 20, 2017

JOSH SHAPRO
Office of the Attorney General
Strickland Square, Harrisburg
Harrisburg, PA 17120

**Re: PRIVATE CRIMINAL COMPLAINT - PERJURY, OBSTRUCTION OF
JUSTICE**

Dear Josh:

Please consider the attached documents as a **PRIVATE CRIMINAL COMPLAINT**. Brian Hunter, signed the attached verification on 07MAR2017, **ESSENTIALLY CLAIMING I HAD FAILED TO TURN IN \$ 80,000.00** and based on his **PERJURED TESTIMONY** I was **ILLEGALLY REMOVED FROM OFFICE**. He testified under oath on 17MAR2017 that **neither he nor anyone in his staff ever audited the records of the Lancaster County Treasurer**. Also the **COMMONWEALTH COURT OFFICE** has yet to record the 48 page **NOTICE OF APPEAL** I filed on 14JUN2017 and filed the first 3 pages in Federal Court on 15JUN2017. Email: alexcoffactor@gmail.com.

Sincerely,

Jeffrey Coffactor

Tax Collector East Lampeter Township, Pennsylvania

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[ORAL ARGUMENT NOT YET SCHEDULED]

**In The
United States Court of Appeals
for the Third Circuit**

20-1449

**UNITED STATES OF AMERICA, et al.
Paintiff-Appellees**

v.

**JOESPH R. JOHNSON
Defendants-Appellant**

**JEFFREY CUTLER
Intervenor Defendants-Appellant**

*Appeal from the Order/Judgment entered February 28, 2020 in the United States District
Court for the Eastern District of Pennsylvania at No. 2:19-cr-00367-1*

**PLAINTIFF-APPELLANT'S MOTION FOR INJUNCTION
PENDING APPEAL, OR IN THE ALTERNATIVE, TO EXPEDITE**

ORAL ARGUMENTS REQUESTED

p 7 01-14

AO 410 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

JEFFREY CUTLER

Plaintiff(s)

v.

NANCY PELOSI

**IN HER OFFICIAL CAPACITY AS SPEAKER OF THE
HOUSE OF REPRESENTATIVES; ASSOCIATED PRESS;
BEND BULLETIN NEWSPAPER; CITIZENS BANK;
ERIE INSURANCE; FORD MOTOR COMPANY;
FULTON BANK; GOOGLE CORPORATION;
HAVERFORD POLICE DEPARTMENT; LEMBERG LAW
LLC; MANHEIM SCHOOL DISTRICT; PHILADELPHIA
NEWSPAPERS INC; STATE FARM INSURANCE; U.S.
NEWS AND WORLD REPORTS; VERIZON
CORPORATION; WIKIPEDIA FOUNDATION; JANE
DOES & JOHN DOES,**

Defendant(s)

Civil Action No. 19-0834

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

**MR. MICHAEL BLOOMBERG
MICHAEL BLOOMBERG CAMPAIGN HEADQUARTERS
229 W 43RD Street
EIGHTH FLOOR
NEW YORK, NY 10036**

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

**JEFFREY CUTLER
P.O. BOX 2806
YORK, PA 17405-2806
PRO SE**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

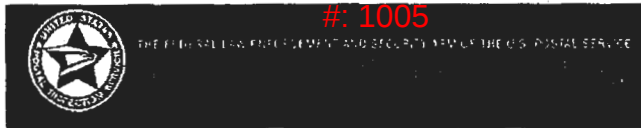
CLERK OF COURT

Date: 2/26/2019

Signature of Clerk or Deputy Clerk

P8 01-14

1005



File a Report: Mail Fraud

Your Information

Company Name:

* First Name:

JEFFREY

* Last Name: CUTLER

* Address:

7339 WOODCREST AVENUE

* City:

PHILADELPHIA

* State:

Pennsylvania

* ZIP Code:

19151

* Country:

UNITED STATES

Cell Phone:

(717) 654-4718

Work Phone: (215) 872-6715

Home Phone:

(215) 477-0543

Fax:

Email Address:

slaxxcollector@gmail.com

Age Range:

65 or older

Complaint Filed Against:

Company Name:

CITY OF PHILADELPHIA

First Name:

JIM

Last Name: KENNY

Address:

1400 John F Kennedy Blvd

City:

PHILADELPHIA

State:

Pennsylvania

ZIP Code:

19107

Country:

UNITED STATES

Cell Phone:

(215) 695-2181

Work Phone: (215) 695-6442

Home Phone:

(215) 695-2181

Fax:

Email Address:

james.kenny@phila.gov

Website Address:

How Were You Contacted?

How were you contacted?

US Mail ☒

On what date were you contacted?

12/03/2019

Do you have the envelope it was mailed in?

☐ Yes ☐ No

Does the envelope have a permit number?

☐ Yes ☐ No

Permit Number:

8174

Permit City:

PHILADELPHIA

Permit State:

Pennsylvania

Does the envelope have a postage meter number?

☐ Yes ☐ No

How Did You Respond to This Offer?

How did you respond to this offer?

US Mail ☒

Response Mailed to a Different Address:

☐ Yes ☐ No

Do you have a mailing receipt?

☐ Yes ☐ No

What did you receive?

CITY OF PHILADELPHIA

MAILED TAX BILL ON 26 FEB 2020. ON 27 FEB 2020 MAYOR KENNY ANNOUNCED HE WOULD ALLOW A SAFE INJECTION SITE IN SOUTH PHILADELPHIA

How did it differ from what you expected?

CITY OF PHILADELPHIA

THIS ACTION BY SAFEHOUSE NON-PROFIT DIRECTLY EFFECTS TAX VALUES FOR PROPERTIES AND IS A FRAUD BY THE CITY SINCE TAX BILLS ARE ESSENTIALLY DUE ON 28 FEB 2020

How much did the company ask you to pay (\$)?

1,245 \$4

Do you have the item?

☐ Yes ☐ No

How was it delivered?

US Mail ☒

Did you contact the company or person about the complaint?

☐ Yes ☐ No

Date Last Contacted Company or Person:

02/25/2020

Did You Lose Money?

Lose Money:

☐ Yes ☐ No

Payment Type:

Check ☒

Payment Amount(\$):

1,245 \$4

Payment Date:

02/25/2020

Type of Mail Fraud Complaint:

Scheme Category:

False Bill or Notice ☒

Scheme Type:

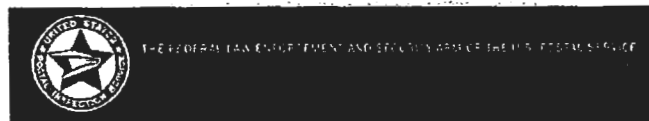
Texas ☒

Additional Information

I am not 18 or older

ON 26 FEB 2020 SAFEHOUSE PA ANNOUNCED IT IS PUTTING A MONITORED INJECTION SITE IN SOUTH PHILADELPHIA. THIS IS TO LOWER THE TAX PROPERTY VALUES IN THE AREA AND POSE A RISK TO RESIDENTS AND CHILDREN. THE CITY PREVIOUSLY ALLOWED HAHNEMANN HOSPITAL TO CLOSE AND DESPITE MR. CUTLER FILING 4 DOCUMENTS IN THE BANKRUPTCY COURT IN DE, THAT WERE DISCARDED INCLUDING UNJUST ENRICHMENT. A RECENT STORY IN THE PHILADELPHIA INQUIRER DESCRIBED A PLAN THAT ALLOWED 800 PROPERTIES PURCHASED FOR 800 DOLLARS YIELD OVER 50 MILLION DOLLARS WHEN RESOLD!! <ref> https://www.inquirer.com/news/philly-dollar-va-cant-land-property-council-blackwell-kenya-20200219.html </ref> FEDERAL LAWSUIT 1:19-cv-00834. Estimate At Least 100,000 counts of mail fraud

p 9 017 14



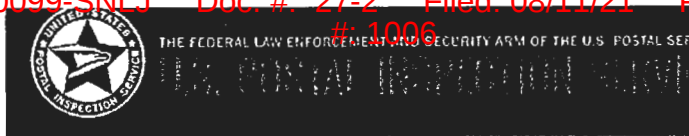
Mail Fraud Complaint form submitted successfully.

27FEB2020 1:00 PM

Thank you for completing the form.

10MAR2020, 5:01 AM C#1930430

The information you provided will be entered into our national complaint system.



File a Report: Mail Fraud

Your Information

Company Name: _____
 * First Name: JEFFREY * Last Name: CUTLER
 * Address: P.O. BOX 2806
 * City: YORK
 * State: Pennsylvania
 * ZIP Code: 17405
 * Country: UNITED STATES
 Cell Phone: (215) 872-5715 Work Phone: (717) 854-4618
 Home Phone: (717) 854-4718 Fac: _____
 Email Address: eltaxcollector@gmail.com
 Age Range: Select One

Complaint Filed Against

Company Name: 5 Eastern District Court of PA
 First Name: KATE Last Name: BARKMAN
 Address: 601 MARKET STREET
 City: PHILADELPHIA
 State: Pennsylvania
 ZIP Code: 17106-1790
 Country: UNITED STATES
 Cell Phone: _____ Work Phone: (215) 597-7704
 Home Phone: _____ Fac: _____
 Email Address: _____
 Website Address: _____

How Were You Contacted?

How were you contacted? US Mail
 On what date were you contacted? 03/09/2020
 Do you have the envelope it was mailed in? ☐ Yes ☐ No

How Did You Respond to This Offer?

How did you respond to this offer? Select One
 Response: Mailed to a Different Address: ☐ Yes ☐ No
 Do you have a mailing receipt (Certified, Insured or Express Mail)? ☐ Yes ☐ No

What did you receive?
max size 200 characters

Order from the court that had with FALSE information by Judge Jeffrey Schemel and Order that had FALSE information by Judge Bartel

How did it differ from what you expected?
max size 250 characters

Judge Jeffrey Schemel dismissed case 5:19-cv-00834 and STATED ALL Defendants had requested the case Judge Bartel had denied motions based on BRADY violations.

How much did the company ask you to pay (\$)? 980,000.00

Do you have the item? ☐ Yes ☐ No
 How was it delivered? US Mail
 Did you contact the company or person about the complaint? ☐ Yes ☐ No

Did You Lose Money?

Lose Money: ☐ Yes ☐ No

Type of Mail Fraud Complaint

Scheme Category: Harassment
 Scheme Type: Select Scheme Category

Additional Information

max size 1000 characters

Judge Jeffrey Schemel to Support the KKK dismissed case 5:19-cv-00834 and denied motion of reconsideration despite the motion supporting the claim was false and no cert to Jeffrey Cutler was made, since he is not part of CMECE system. This was to hide the MURDER of JONATHAN LUNA DEC 4, 2003. This may also be revenge against RAY GRICAR for the Prosecution of James Robert Cruz for the Murder of Dawn Birkbaum



THE FEDERAL LAW ENFORCEMENT AND SECURITY ARM OF THE U.S. POSTAL SERVICE

Mail Fraud Complaint form submitted successfully. 10MAR2020, 12:30 PM
 Thank you for completing the form. C#1931320 4:39 AM 24MAR2020
 The information you provided will be entered into our national complaint system.

P 10 01-14

other individuals in the court have deleted and altered documents filed by Mr.

Cutler. Also NANCY PELOSI ON 03JAN2019 LIED UNDER OATH IN COURT!!!! From page 5 case # 5:19-cv-00834 (ORIGINAL CASE FILED 26FEB2019) ECF 102 titled [MOTION FOR DEFAULT AGAINST NANCY PELOSI IN HER OFFICIAL CAPACITY AND ALL OTHER DEFENDANTS] (ECF 102 FILED 03DEC2019..NANCY'S LAWYER READ IT 04DEC2019 AND NANCY CALLED FOR IMPEACHMENT 05DEC2019 TO SAVE HER JOB!!!) ...The actions involved also involves a conspiracy to hide an ongoing criminal enterprise and other crimes by the democratic party to hinder the president in carrying out his constitutional duties. Nancy Pelosi in her official capacity did violate via her lawyer (Mr Donald B. Verilli Jr.) and stated "[N]o one would be hurt and the greater justice would be attained" and violated (18 USC § 1001) on 03JAN2019 on page 24 of the filing that was made in case 4:18-cv-00167-0, a significant federal crime on her behalf just after she became speaker of the house. She has also has interfered with the treaty between the United States of America and Ukraine on Mutual Legal Assistance in Criminal Matters with Annex, signed at Kiev on July 22, 1998, and with an Exchange of Notes signed on September 30, 1999, which provides for its provisional application. Katie Hill (a Democrat member of the house from California) was forced to resign from officeBased on the Katie Hill resignation, Nancy Pelosi must also quit her position.Based on a previous incident by United States Representative <ref> <https://www.youtube.com/watch?v=m3Rut64GDgA> </ref> Mr. Adam Schiff did willfully and with forethought did intentionally violate the Hobbs Act codified as 18 U.S.C § 1951 and Foreign Corrupt Practices Act of 1977 (FCPA codified as 15 U.S.C. § 78dd-1). Also this case also involves (18 U.S. Code § 1519 -

FROM PAGE 34 FILED JULY 24, 2018 BY TIME STAMP, BUT PUT ONLINE 08/10/2018 <ref> <http://redistricting.ils.edu/file/PA%20corman%2020180724%20brief.pdf> </ref> Robert Mueller was the director of the FBI on December 4, 2003 when Jonathan Luna, (POSSIBLY BY MEMBERS OF THE KLU KLUX KLAN) was found MURDERED in Lancaster county, Pennsylvania Five days after the death James Corney may have been given the number 2 position at the DOJ, to help cover-up the murder. At the time of the MURDER Andrew McCabe was in charge of the criminal division of the FBI. The FBI tried to get the coroner of Lancaster, county to call the MURDER a SUICIDE Mr McCabe was fired from the FBI for lies he made on March 16, 2018. April Brooks made the FALSE statement "There's no evidence to show that he met his death at the hands of any other individual," Brooks said. "Or that he had seen or been with any other individual that night. You have naysayers and you have a divergence of (law enforcement) opinion," she said. "But again, we turned over every rock We are confident that there is nothing hanging out there to find." <ref> http://articles.chicagotribune.com/2012-08-29/news/sns-rt-us-usa-security-fbibr87s0u5-20120829_1_white-collar-crime-drug-gangs-gang-cases </ref>., Even though this contradicts the report of the Lancaster county coroner.

Destruction, alteration, or falsification of records), (18 U.S. Code § 1505 - Obstruction of proceedings before departments). Watch https://www.youtube.com/watch?v=mgCie8F_zUk for more information and read comments sorted newest first Also see <ref> <https://www.americanfreedomlawcenter.org/case/jeffrey-cutler-v-u-s-dept-of-health-human-services/> </ref> and <ref> <https://www.brennancenter.org/legal-work/corman-v-torres> </ref> <ref> https://www.pacemonitor.com/public/case/27231978/CUTLER_v_PELOSI_et_al </ref>

As an Official Whistle Blower in the Commonwealth of Pennsylvania, Jeffrey Cutler declares the actions Mr Krasner, the Mayor of Philadelphia, and the Governor were a concerted effort to legally Murder Jews like Albert Chernoff, the woman found in her home in the 800 block of Bergen Street, Jill Millman (page B3 Inquirer Thursday November 7, 2019) by persons like Fred Arena (page B1 Inquirer Thursday November 7, 2019), or Michael White or persons similarly situated. Mr. Cutler declares as part of this document that he is WHISTLEBLOWER exposing the Governor and Mayor as members of this organization in a public matter. Unlike the alleged WHISTLEBLOWER impeachment orchestrated by Eric Ciaramella with others Mr. Cutler has signed and dated this WHISTLEBLOWER document that,

unlike the clandestine misuse of the legal system by the house <ref>
<https://www.washingtonexaminer.com/news/alleged-whistleblower-eric-claramella-was-biden-guest-at-state-department-banquet> </ref> The hatred of coal may be related to the fact that bad people get a lump of coal in their stocking by St. Nick at Christmas, so if there is no coal, what they are doing cannot be considered evil. Both Seth Rich and Edward Snowden were WHISTLEBLOWERS, Seth is dead and Edward Snowden is in exiled to Russia.

***** THE ABOVE IS CENSORED BY EVERY NEWS OUTLET IN THE US *****

Despite Mr. Cutler's attempts to make this document public and the publicity Mr. Johnson's case has to Mr. Cosby, every thing about Mr. Cutler's efforts have been censored and hidden almost as much as the Rabbit in the 1950 Movie HARVEY.

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 https://www.youtube.com/watch?v=6GUGJD-HmPI&c=UgzWjww3yWu73fl_jmh4AaABA

JC_ 6 months ago

On May 2019, Brian Sims posted an eight minute video of himself confronting a woman who was protesting outside a Planned Parenthood facility in Philadelphia by praying with a rosary. On May 15, 2019 he was served a summons for federal case 5:19-cv-00834 at his office on Chestnut Street. On July 15, 2019 at 3:00 PM the Default judgement entered on June 18, 2019 was used as collateral for trying to help Hahnemann Hospital stay open case # 19-11466 Delaware Bankruptcy Court. On Sep 23, 2019 Jeffrey Cutler filed a OBJECTION BECAUSE BANKRUPTCY AUCTION HELD 19AUG2019 VIOLATED UNITED STATES CONSTITUTION AMENDMENT 5 (EQUAL PROTECTION) & UNJUST ENRICHMENT. He also spoke about the motion. The objection appears to be have been deleted and not placed on the docket. This is the fourth motion filed in the case by Jeffrey Cutler that was deleted. Both Harold Brubaker and Nina Feldman are mentioned in obstructing justice after the fact and complicit in hiding the murder of Jonathan Luna after the fact.

Show less

UNJUST ENRICHMENT AT HOSPITAL CLOSURE

P 13 OF 14

POLICE REPORT #1512008899



P14 OF 14



Erie Insurance Exchange

100 Erie Insurance Place • Erie, Pennsylvania 16530 • 814.870.2000
Toll Free 1.800.458.0811 • Fax 814.870.3126 • www.erieinsurance.com

NOTICE OF CANCELLATION

Date of Mailing	06/23/2021
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Named Insured

GC7030 - AGENT COPY

JEFFREY S CUTLER
PO BOX 2806
YORK, PA 17405-2806

CANCELLATION	EFFECTIVE	AUTO POLICY NUMBER (IF ANY)	CHARGES FOR TIME POLICY WAS IN EFFECT (CANCELLATION ONLY)	AGENT AND NUMBER
12:01 A.M. Standard Time	07/13/2021	Q090125867	\$0.00	MONROE CHRIS WILLIAMS AGENCY AA7051

DEAR POLICYHOLDER: AFTER CAREFUL CONSIDERATION, WE HAVE DECIDED TO CANCEL YOUR AUTOMOBILE POLICY AS OF THE EFFECTIVE TIME AND DATE SHOWN ABOVE. WE SINCERELY REGRET THAT THIS ACTION WAS NECESSARY.

The reason(s) for this action is: (Not shown on Other Interest(s) copy)

Your Erie Insurance Exchange policy is being canceled because of Jeffrey S Cutler's license suspension within the current policy period. Jeffrey S Cutler's Pennsylvania Motor Vehicle Record lists a suspension effective 09/12/2020, and the license is currently suspended.

If this action is a cancellation, the charge for the time the policy was in effect is shown above. If you have paid more than the charge, an accounting of the over-payment is enclosed or will be sent to you very soon. However, if the amount you have paid is less than the charge, please send us the balance due.

The Motor Vehicle Record was secured by LexisNexis Consumer Center, PO Box 105108, Atlanta GA 30348-5108, telephone number 1-800-456-6004; www.consumerdisclosure.com. LexisNexis did not make this adverse Underwriting decision and cannot explain to you why the decision was made. You have the right to dispute with LexisNexis the accuracy or completeness of any information provided to us by them. You may obtain a free copy of the Motor Vehicle Record from LexisNexis Consumer Center by contacting them and requesting it within 60 days.

cc: Agent:

AA7051 MONROE CHRIS WILLIAMS AGENCY

Sincerely,

President and Chief Executive Officer

IMPORTANT NOTICE

IF YOU HAVE DIFFICULTY GETTING NEW INSURANCE, ANY INSURANCE AGENT OR BROKER MAY APPLY FOR COVERAGE FOR YOU THROUGH THE PENNSYLVANIA ASSIGNED RISK PLAN IF YOU ARE ELIGIBLE FOR IT.

Pennsylvania Assigned Risk Plan
302 Central Avenue
Johnston, RI 02919

FINANCIAL RESPONSIBILITY MUST BE MAINTAINED ON ALL PENNSYLVANIA REGISTERED VEHICLES. FAILURE TO DO SO COULD RESULT IN THE SUSPENSION OF YOUR OPERATOR'S PRIVILEGE AND REVOCATION OF YOUR MOTOR VEHICLE REGISTRATION. WE MUST NOTIFY THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION THAT YOUR POLICY IS BEING TERMINATED. THE POLICYHOLDER MUST THEN NOTIFY THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION THAT REPLACEMENT INSURANCE HAS BEEN OBTAINED WITH A PENNSYLVANIA LICENSED INSURANCE COMPANY.

IF THIS ACTION WAS TAKEN DUE, PARTIALLY OR WHOLLY, TO INFORMATION PROVIDED IN A CONSUMER INVESTIGATIVE REPORT FROM LEXIS NEXIS RISK SOLUTIONS, YOU MAY CALL OR VISIT THEIR OFFICE FOR A REVIEW OF THE REPORT.

IF THIS ACTION WAS INFLUENCED BY DRIVING RECORD INFORMATION RECEIVED IN A MOTOR VEHICLE REPORT FROM PENNSYLVANIA, OBTAINED AT OUR REQUEST BY LEXIS NEXIS RISK SOLUTIONS, YOU MAY REQUEST A COPY OF THE REPORT FROM LEXIS NEXIS RISK SOLUTIONS AT 1-800-456-6004.

WHEN COVERAGE IS BEING TERMINATED DUE TO NON-RESPONSE TO A CITATION IMPOSED UNDER 75 PA.C.S. 1533 (RELATING TO SUSPENSION OF OPERATING PRIVILEGE FOR FAILURE TO RESPOND TO CITATION) OR NON-PAYMENT OF A FINE OR PENALTY IMPOSED UNDER THAT SECTION, COVERAGE SHALL NOT TERMINATE IF YOU PROVIDE THE ERIE WITH PROOF THAT YOU HAVE RESPONDED TO ALL CITATIONS AND PAID ALL FINES AND PENALTIES ON OR BEFORE THE TERMINATION DATE OF THIS POLICY.

YOU HAVE THE RIGHT TO REQUEST THE PENNSYLVANIA INSURANCE COMMISSIONER TO REVIEW THIS ACTION BY THE ERIE. TO DO THIS, SIGN AND SEND A COPY OF THIS FORM WITHIN THIRTY DAYS TO THE PENNSYLVANIA INSURANCE COMMISSIONER AT:

Pennsylvania Insurance Department
Bureau of Consumer Services
1209 Strawberry Square
Harrisburg, PA 17120

Toll Free Consumer Line (877) 881-6388
Fax: (717) 787-8585

I request the Pennsylvania Insurance Commissioner review this action.

Date

Signature of Insured

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

JEFFREY CUTLER

Plaintiff,

v.

ALAN SCHNITZER,
CHAIRMAN THE TRAVELER'S
COMPANIES INC.

EDWARD MCVEY, THE
PENNSYLVANIA INSURANCE
DEPARTMENT

Richard S. MILLS, McElroy,
Deutsch, Mulvaney, &
Carpenter, LLP

KIANDRA BAIR, McNEES
WALLACE & NURICK

SAM JANESH, THE LNP
MEDIA GROUP

DENNIS STUCKEY,
LANCASTER COUNTY
CHAIRMAN

BRIAN HURTER,
LANCASTER COUNTY
CONTROLLER

MARK DALTON,
LANCASTER COUNTY COURT
ADMINISTRATOR

DAVID BUCKWALTER,
EAST LAMPETER TOWNSHIP
CHAIRMAN

MIKE SHIRK, HIGH INC.
CHAIRMAN

JUDGE DENISE
CUMMINS

DISTRICT JUSTICE JUDGE

DAVID ZUILKOSKI,
CONESTOGA VALLEY SCHOOL
DISTRICT

Defendants

) No.: 5:17-cv-05025

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FILED

SEP 07 2018

KATE BARKMAN, Clerk
By _____ Dep. Clerk

JURY TRIAL DEMANDED

**MOTION TO STRIKE MOTIONS OF KIANDRA BAIR, ALAN
SCHNITZER, AND DAVID BUCKWALTER IN OPPOSITION TO
COMBINING CASES AND MOTION FOR FINAL JUDGEMENT**

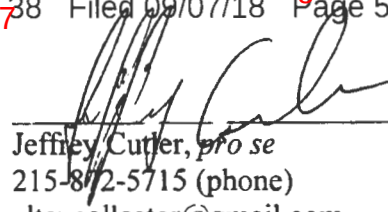
Here comes Jeffrey Cutler, Plaintiff in this case and requests the motion on behalf of KIANIRA BAIR be stricken based on Rule 5.5 (Unauthorized Practice of Law). The lawyer for KIANIRA BAIR motion identifies defendant as Dennis Stuckney instead of Dennis Stuckey. The case also violates rule 65(b)(1) in the attorney for KIANIRA BAIR has never shown that all parties in this case are notified of their motions, specifically Sam Janesh and Denise Cummins. Based on case 2:17-cv-00984, docket item 5, all actions of the attorneys in this case should be denied and dismissed. They should also be declared non-compliant and all their claims denied. If they are non-compliant then they are not practicing law, it is something else. Prosecutorial discretion and the use of illegal surveillance does not allow for complete civil rights violations, or violations of equal protection Based on Statements by members of the KLU KLUX KLAN have previously codified their pride in SCREWING A JEW, or getting Jews to defend their civil rights (Mr. Cutler is Jewish by birth). The courts have affirmed, it must “afford a liberal reading to a complaint filed by a pro se plaintiff,” particularly when the plaintiff has no formal legal training or education. Klayman v. Zuckerberg, 753 F.3d 1354, 1357 (D.C. Cir. 2014); see also Erickson v. Pardus, 551 U.S. 89, 94 (2007) (“A document filed pro se is to be liberally construed, and a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.”) and a claim is expressed

should be permitted to hear testimony under oath of witnesses in deciding the motions of this case, including Lisa Michelle Lambert, retired Judge Stewart Dalzel, James Comey, Emily Weinman etc. This case is related to USCA case #17-2709 and USCA case #18-1816. It is almost poetic, that in the film “Mississippi Burning”, a fictional account of the MURDER of black and Jewish civil rights workers by the KLU KLUX KLAN, the sheriff ‘s name was Ray Stuckey and here there is proof that Dennis Stuckey participated in Mail and interstate Insurance fraud along with Mr. Mills, Cristina Hausner, and others and should be prosecuted for insurance fraud, theft by deception, and criminal conspiracy, just like Oneatha Swinton is being charged by the Pennsylvania Attorney General Josh Shapiro. On February 23, 2017 when East Lampeter Supervisors voted to assign tax collection to the Lancaster County Treasurer by resolution 2017-12 even though Amber Green Martin never had a surety bond to collect taxes, and they failed to perform due diligence and they knew or should have known about the surety bond. As recently as June 19, 2018 State Senator Scott Martin has held hearings in support of giving his wife (Amber Green Martin) more power, even though she has continually broken the law, and failed to have a surety bond to collect taxes. David Zuilkoski and the Conestoga School System assigned the tax collection to the Lancaster County Treasurer’s office and failed to perform due diligence in this matter, and knew or should have known Amber Green Martin

Case 5:17-cv-05025-JLS Document 38 Filed 09/07/18 Page 4 of 10
1016
never had a surety bond. The office of Pennsylvania Attorney General by not

charging Amber Green Martin has also violated the United States Constitution Amendment 14, by the fact that Amber Green Martin has been violating the law in plain sight in not securing a surety bond until July 18, 2018, in an amount that is significantly less than required by law (the law requires 75% of the amount at risk). Susan Peipher and Christina Hausner were involved in suborning perjury, destroying or concealing evidence, witness tampering, and concealing income or assets. Since the original claim and assignment of tax collection was based on the furtherance of a crime the default judgment should be made final, see documents from the Lancaster Court of Common Pleas case # CI-17-09663 as presented in docket item 31. Although Mr. Cutler has no formal legal training a blind man could see discrepancies in how the law was being applied and violations of equal protection. Recently in the federal court Rob McCord was sentenced to 30 months in prison and allowed to remain out of prison, yet Seth Williams (the first black DA in Philadelphia) was incarcerated instantly on pleading guilty to one count of bribery until a sentence was imposed. Marvin Mychal Kendricks (case 2:18-cr-00368) was charged with insider trading while Jon Corsine was never criminally charged relating to the MF Global theft of customer money. The president of the United States is being harassed by rogue prosecution while Hillary Clinton was totally exonerated of crimes.

Date: 07 SEP 2018


Jeffrey Cutler, pro se
215-872-5715 (phone)
eltaxcollector@gmail.com
P.O. Box 2806
York, PA 17405

GREAT PAROWIS, MAKE GREAT KIDS
MAKE A GREAT PRESIDENT

HAPPY NEW YEAR, MR PRESIDENT!!

PLAINTIFF'S PROPOSED ORDER FOR FINAL DEFAULT JUDGMENT

AND NOW, this _____ day of _____, 2018 upon consideration Plaintiff's Motion for Default Judgment and for good cause shown, it is hereby ORDERED the Motion is GRANTED. SO ORDERED.

- a. Order the Default Judgment against all defendants be granted and made FINAL at one million dollars per day.
- b. Order the order of Judge Margret Miller made March 17, 2017 against Jeffrey Cutler vacated, the order by Judge Margaret Miller against Jammal Harris vacated and order by Judge Lawrence Stengel against Lisa Michelle Lambert vacated and all persons similarly situated.
- c. Order the summary judgment of all other cases filed by Mr. Cutler in every court also be granted
- d. Order all vandalism perpetrated against Mr. Cutler to be compensated, and listed
- e. Provide documentation to the court of how much all court costs and legal fees have been to date, and list cost or legal hours and **ALL LEGAL FIRMS** used to try to change the outcome of a certified election in all future actions with the court by East Lampeter Township Lancaster County. Legal fee documentation should start with the actions of the solicitor on and East Lampeter Township starting in 05NOV2013
- f. Order East Lampeter Township to reveal all persons or individuals that have expressed interest in this case, especially any officials of the United States Government, and all payments by any George Soros forganization.
- g. Order a one million dollar a day penalty per named defendant, until Mr Cutler's reputation and credit are restored or individual agreements are reached with each party
- h. Order Susan Peipher Esquire, East Lampeter Township, Lancaster County Courts and unnamed others show cause why they should not be charged with violations of the RICCO ACT, both 18 U S C §§ 1961–1968. RICO violations, and 18 U S C. § 1964, Civil RICCO Act
- i. Order Susan Peipher Esquire, Christina Hausner, East Lampeter Township, East Lampeter Township Police, Lancaster County Courts, Ralph Hutchinson, Judge Margaret Miller, Scott Martin, Elam Herr, all named defendants in this case and unnamed others show cause why they should not be charged with violations of 18 U S C. § 2113 (bank robbery).
- j. Order Fulton Financial to return all money for accounts ending with 8603 and 8612 with penalties.
- k. Order Fulton Financial to compensate the plaintiffs for cases 5:18-cv-00987 and case 2:17-cv-02763 as demanded in their respective lawsuits
- l. Other remedies the court deems appropriate.
- m. Order the Democratic National Committee to also show why they are not a party to Religious discrimination

- n. Order Susan Perpher Esquire, to be barred from participation in the Federal Court CM/ECF system
- o. Order Robert Mueller to Cease and Desist any further prosecutions until the activities can be verified as not violating equal protection, just like the email Mr Cutler received from the FBI on January 30, 2017 about reporting crimes of Bank and Insurance fraud.
- p. Order the United States Government to stop collecting or accessing penalties **FOR FAILURE** to ***comply with established tenets or teachings of such sect or division of ANY religion in violation of the U.S. Constitution amendment 1 and declare the ACA unconstitutional*** , based on the 89 page writ of USCA case 17-2709 on page 314A.

Dated: ____, 2018.

BY THE COURT

Case 2:17-cv-00984-TON Document 46 Filed 08/04/17 Page 3 of 17
CONSPIRACY TO COMMIT BANK & INSURANCE
FRAUD

2 Jeffrey Cutler To All, Attached is a TAX cert and page 2 of 14 from. Jan 30

2 Milligan, Joseph A. (PH) (FBI) <Joseph.Milligan@ic.fbi> Jan 30
to me, John, JAN MCDERMOTT, Dave

Mr Cutler,

Cease and desist adding myself and ADA McDermott to any more of your
emails regarding this matter Special Agent Milligan

From: Jeffrey Cutler (mailto:eltaxcollector@gmail.com)

Sent: Sunday, January 29, 2017 11:40 PM

To: Murray, John <John.Murray@ssa.auditor.gov>,
JAN MCDERMOTT@phila.gov, Dave Brown

<dave@pearsonkotchlaw.com>; Milligan, Joseph A. (PH) (FBI)

<Joseph.Milligan@ic.fbi.gov>

Subject: CONSPIRACY TO COMMIT BANK & INSURANCE FRAUD

2 Jeffrey Cutler <eltaxcollector@gmail.com> Jan 30

to whcmichael, jhaskins, dycrushalm, djacob, latobell, Dave

To All,

See the message below. I am involved with a bunch of People that are
ANTI-JEWISH. They are trying to set me up to be accused of **THEFT!!!** They have
conspired to delete payment information and try and blame me for **stealing!!!** They
are all criminals. The FBI does not want to help. They suggested (FBI) I get a
lawyer. They just want claim the **JEW IS A THIEF!!!**

Jeff Cutler

717-854-4718

215-872-5715

...

717-854-4718

3 Attachments

Validation_FRR...

ELSUIT_Step_OR...

W SUPCOURT.doc

2 Devon Jacob Jeffrey, do not contact me again for any reason. If you do Jan 30

2 Jeffrey Cutler Lonnie .. No Friends Jeff Cutler Jan 30

2 Jeffrey Cutler Justin, it must be my breath. Jeff Cutler Jan 30

**Bentley Ridge
Resident Statement**

Resident	Cutler, Jeff (R 0500100433)	Move In Date.	6/18/2011	Deposits Required	300 00
Resident Id.	000196-42-CV67-14	Current Lease.	7/1/2017	Deposits Received	300.00
From.	09/2017	Notice To Vacate.		Current Balance.	0.00
Through:	09/2017	Vacate Date			

Date	Type	Description	Charges	Payments/Credits	Balance
09/01/2017	Balance	Balance Forward			14,617 00
09/01/2017	Premium Rent MTM	September Charge	200 00		14,817.00
09/01/2017	Rent Charge	September Charge	1,125 00		15,942.00
09/01/2017	Water And/Or Sewer Charge	September Charge	40 00		15,982 00
09/19/2017	Check	#851926		9,280 00	6,702 00
09/25/2017	Check	#1000395065		5,800 00	902 00
09/29/2017	Check	#24655850774		902 00	0 00

Recurring Charges

Effective Dates	Description	Amount	Current?
7/1/2016-6/30/2017	Premium Rent MTM	\$200 00	Y
7/1/2017-6/30/2017	Water And/Or Sewer Charge	\$40 00	Y
7/1/2017-6/30/2017	Rent Charge	\$1,125 00	Y

) No.: 5:17-cv-05025

Plaintiff,

v.

**ALAN SCHNITZER,
CHAIRMAN THE TRAVELER'S
COMPANIES INC.**

**EDWARD MCVEY, THE
PENNSYLVANIA INSURANCE
DEPARTMENT**

**Richard S. MILLS, McElroy,
Deutsch, Mulvaney, &
Carpenter, LLP**

**KIANDRA BAIR, McNEES
WALLACE & NURICK**

**SAM JANESH, THE LNP
MEDIA GROUP**

**DENNIS STUCKEY,
LANCASTER COUNTY
CHAIRMAN**

**BRIAN HURTER,
LANCASTER COUNTY
CONTROLLER**

MARK DALTON,
LANCASTER COUNTY COURT
ADMINSTRATOR

**DAVID BUCKWALTER,
EAST LAMPETER TOWNSHIP
CHAIRMAN**

**MIKE SHIRK, HIGH INC.
CHAIRMAN**

JUDGE DENISE CUMMINS

DISTRICT JUSTICE JUDGE

**DAVID ZUILKOSKI,
CONESTOGA VALLEY SCHOOL
DISTRICT**

Defendants

FILED

SEP 07 2018

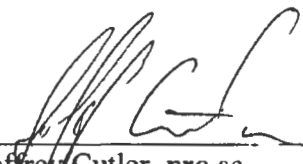
KATE BARKMAN, Clerk
By _____ Dep. Clerk

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I Jeffrey Cutler, do hereby certify that I this day I have served a copy of Plaintiff's MOTION TO STRIKE MOTION OF DAVID BUCKWALTER TO DISMISS AND FINAL JUDGEMENT of August 28, 2018, to all Defendants via the CM/ECF system, email or priority United States Mail, postage prepaid.

Date: 07 SEP 2018



Jeffrey Cutler, *pro se*
215-872-5715 (phone)
eltaxcollector@gmail.com
P.O. Box 2806
York, PA 17405

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

JEFFREY CUTLER

Plaintiff,

v.

ALAN SCHNITZER,
CHAIRMAN THE TRAVELER'S
COMPANIES INC.

EDWARD MCVEY, THE
PENNSYLVANIA INSURANCE
DEPARTMENT

Richard S. MILLS, McElroy,
Deutsch, Mulvaney, &
Carpenter, LLP

KIANDRA BAIR, McNEES
WALLACE & NURICK

SAM JANESH, THE LNP
MEDIA GROUP

DENNIS STUCKEY,
LANCASTER COUNTY
CHAIRMAN

BRIAN HURTER,
LANCASTER COUNTY
CONTROLLER

MARK DALTON,
LANCASTER COUNTY COURT
ADMINISTRATOR

DAVID BUCKWALTER,
EAST LAMPETER TOWNSHIP
CHAIRMAN

MIKE SHIRK, HIGH INC.
CHAIRMAN

JUDGE DENISE
CUMMINS

DISTRICT JUSTICE JUDGE

DAVID ZUILKOSKI,
CONESTOGA VALLEY SCHOOL
DISTRICT

Defendants

) No.: 5:17-cv-05025

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MOTION TO STRIKE MOTION OF DAVID BUCKWALTER TO DISMISS
AND FINAL JUDGEMENT

Here comes Jeffrey Cutler, Plaintiff in this case and requests the motion on behalf of DAVID BUCKWALTER be stricken based on Rule 5.5 (Unauthorized Practice of Law). Susan Peipher's motion requests the complete dismissal of the case without ever filing a notice of appearance on behalf of all the defendants she is now representing in this case which makes her motion Non-Compliant and perjury. Based on 2 public news stories <ref>https://lancasteronline.com/news/local/lancaster-county-treasurer-without-insurance-for-millions-in-tax-dollars/article_ef5b90bc-89d5-11e8-8ace-77712e721cba.html </ref> and <ref>https://lancasteronline.com/news/local/lancaster-county-treasurer-secures-insurance-to-collect-municipal-taxes/article_16cb03de-976f-11e8-814c-1beb625aec89.html </ref> the hearing on and order of March 17, 2017 with Judge Margaret Miller and order which seized Fulton bank accounts from Jeffrey Cutler ending with 8603 and 8612 and assigned tax collection for East Lampeter Township to the Lancaster County Treasurer, Amber Green Martin, after a 2 hour hearing based on perjured verification of Brian Hurter, and a violation of Pennsylvania law. Based on this current public information the Lancaster County Treasurer, Amber Green Martin never had a surety bond to collect taxes at that time and never had any surety bond until July 18, 2018. Based on common pleas court case # CI-17-09663 order of July 2, 2018 by Judge Brown a person is not allowed to collect taxes without a surety bond.

Fulton Financial seized both accounts (account ending with 8603 and 8612) with assets in excess of \$ 900,000 at the time. In the end of July 2018, Jeffrey Cutler received a notice from Fulton Financial that account ending in 8603 would be closed even though Fulton Financial had kept the account open since it was seized with zero activity since March 17, 2017. Account ending with 8612 was zeroed out and closed by Fulton Financial on April 3, 2017. On or about August 1, 2018 Jeffrey Cutler transferred \$ 251.00 (into account ending in 8603 on or about August 1, 2018. from a savings account he subsequently opened). The order by judge Miller has never been rescinded yet the funds in account ending 8603 are still in the account. Fulton Financial knew or should have known the seizure was illegal. As compensation for their participation in the bank robbery, the Lancaster County Treasurer, Amber Green Martin rewarded Fulton Financial with fees to collect approximately 100,000 tax bills annually. Since the original order was based on perjured testimony and the assignment of tax collection was illegal this makes the original order a conspiracy in to commit bank robbery (violation of 18 U.S.C. § 2113) and all the defendants in this case and their lawyers aided abetted in this activity along with WGAL, LNP media group, the entire East Lampeter Township Police department, Corey A. Shank of Erie Insurance. The FBI has a history of supporting crimes of the KLU KLUX KLAN and support of MURDER (Gary Thomas Rowe). Every news media outlet and newspaper in the United States have CENSORED the most salient points of this case as well as case and even

law schools are CENSORING parts of the cases Jeffrey Cutler has filed

<https://www.brennancenter.org/legal-work/corman-v-torres>. More

information can be found at

https://www.youtube.com/watch?v=mgCle8F_zUk. Despite a legal

STOP order in place, the rent mailed each month, the apartment at 67

Cambridge Village is now occupied by Connie L. Nelson, an illegal lockout of

the premises occurred, complete theft of the contents including insurance

fraud, and electric power . The FBI or other federal agency have engaged in

altering bank records (PNC Bank) signature card, preventing Mr. Cutler from

getting Legal Representation, and trying to stop Mr. Cutler from having access

to funds from Fidelity Investments. They also have engaged with others in the

unlawful interference with the office of the president including making threats

against him which is a federal crime. Other current or previous public officials

may be members of the KLU KLUX KLAN based on public events such as the

police beating of Emily Weinman in Wildwood New Jersey, the refusal of Bill

Clinton to apologize to Monica Lewinsky, the Thadeus Steven's College of

Technology refusal to allow the public access to their library (even though a

complaint was made to the office of Tom Wolf and they are fully owned by the

Commonwealth of Pennsylvania), Sandra Thompson harassment with 4 other

black women on the golf course in York, Pennsylvania, the incarceration

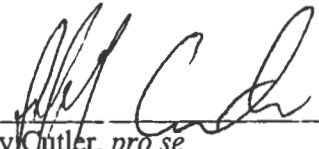
without trial for over 4.5 years of Jammal Harris and other African Americans

(Andrew Miller), Seth Williams prosecution and instant incarceration, Bill

Cosby prosecution and attempted instant incarceration based on a lie made by the DA, Seth Rich Murder, etc. . Statements by members of the KLU KLUX KLAN have previously codified their pride in SCREWING A JEW, or getting Jews to defend their civil rights (Mr. Cutler is Jewish by birth). The courts have affirmed, it must “afford a liberal reading to a complaint filed by a pro se plaintiff,” particularly when the plaintiff has no formal legal training or education. Klayman v. Zuckerberg, 753 F.3d 1354, 1357 (D.C. Cir. 2014); see also Erickson v. Pardus, 551 U.S. 89, 94 (2007) (“A document filed pro se is to be liberally construed, and a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.”) and a claim is expressed in the complaint. In the alternate to dismissing all defendants claims a jury should be permitted to hear testimony under oath of witnesses in deciding the motions of this case, including Lisa Michelle Lambert, retired Judge Stewart Dalzel, James Comey, Emily Weinman etc. This case is related to USCA case #17-2709 and USCA case #18-1816. It is almost poetic, that in the film “Mississippi Burning”, a fictional account of the MURDER of black and Jewish civil rights workers by the KLU KLUX KLAN, the sheriff ‘s name was Ray Stuckey and here there is proof that Dennis Stuckey participated in Mail and interstate Insurance fraud along with Mr. Mills, Cristina Hausner, and others and should be prosecuted for insurance fraud, theft by deception, and criminal conspiracy, just like Oneatha Swinton is being charged by the Pennsylvania Attorney General Josh

Shapiro. On February 23, 2017 when East Lampeter Supervisors voted to assign tax collection to the Lancaster County Treasurer by resolution 2017-12 even though Amber Green Martin never had a surety bond to collect taxes, and they failed to perform due diligence and they knew or should have known about the surety bond. As recently as June 19, 2018 State Senator Scott Martin has held hearings in support of giving his wife (Amber Green Martin) more power, even though she has continually broken the law, and failed to have a surety bond to collect taxes. David Zuilkoski and the Conestoga School System assigned the tax collection to the Lancaster County Treasurer's office and failed to perform due diligence in this matter, and knew or should have known Amber Green Martin never had a surety bond. The office of Pennsylvania Attorney General by not charging Amber Green Martin has also violated the United States Constitution Amendment 14, by the fact that Amber Green Martin has been violating the law in plain sight in not securing a surety bond until July 18, 2018, in an amount that is significantly less than required by law (the law requires 75% of the amount at risk). Susan Peipher and Christina Hausner were involved in suborning perjury, destroying or concealing evidence, witness tampering, and concealing income or assets. Since the original claim and assignment of tax collection was based on the furtherance of a crime the default judgment should be made final, see attached documents from the Lancaster Court of Common Pleas case # CI-17-09663.

Date: 28 AUG 2018



Jeffrey Cutler, *pro se*
215-872-5715 (phone)
eltaxcollector@gmail.com
P.O. Box 2806
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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

JEFFREY CUTLER

Plaintiff,

v.

ALAN SCHNITZER,
CHAIRMAN THE TRAVELER'S
COMPANIES INC.

EDWARD MCVEY, THE
PENNSYLVANIA INSURANCE
DEPARTMENT

Richard S. MILLS, McElroy,
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MIKE SHIRK, HIGH INC.
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JUDGE DENISE
CUMMINS

DISTRICT JUSTICE JUDGE

DAVID ZUILKOSKI,
CONESTOGA VALLEY SCHOOL
DISTRICT

Defendants

) No.: 5:17-cv-05025

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) JURY TRIAL DEMANDED

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PLAINTIF'S PROPOSED ORDER FOR FINAL DEFAULT JUDGMENT

AND NOW, this _____ day of _____, 2018 upon consideration Plaintiff's Motion for Default Judgment and for good cause shown, it is hereby ORDERED the Motion is GRANTED. SO ORDERED.

- a. Order the Default Judgment against all defendants be granted and made FINAL at one million dollars per day.
- b. Order the order of Judge Margret Miller made March 17, 2017 against Jeffrey Cutler vacated, the order by Judge Margaret Miller against Jammal Harris vacated and order by Judge Lawrence Stengel against Lisa Michelle Lambert vacated.
- c. Order the summary judgment of all other cases filed by Mr. Cutler in every court also be granted
- d. Order all vandalism perpetuated against Mr. Cutler to be compensated, and listed.
- e. Provide documentation to the court of how much all court costs and legal fees have been to date, and list cost or legal hours and **ALL LEGAL FIRMS** used to try to change the outcome of a certified election in all future actions with the court by East Lampeter Township Lancaster County Legal fee documentation should start with the actions of the solicitor on and East Lampeter Township starting in 05NOV2013.
- f. Order East Lampeter Township to reveal all persons or individuals that have expressed interest in this case, especially any officials of the United States Government, and all payments by any George Soros forganization.
- g. Order a one million dollar a day penalty per named defendant, until Mr. Cutler's reputation and credit are restored or individual agreements are reached with each party.
- h. Order Susan Peipher Esquire, East Lampeter Township, Lancaster County Courts and unnamed others show cause why they should not be charged with violations of the RiCCO ACT, both 18 U.S.C §§ 1961–1968. RICO violations, and 18 U S C. § 1964, Civil RICCO Act.
- i. Order Susan Peipher Esquire, Christina Hausner, East Lampeter Township, East Lampeter Township Police, Lancaster County Courts, Ralph Hutchinson, Judge Margaret Miller, Scott Martin, Elam Herr, all named defendants in this case and unnamed others show cause why they should not be charged with violations of 18 U S C. § 2113 (bank robbery)
- j. Order Fulton Financial to return all money for accounts ending with 8603 and 8612 with penalties.
- k. Order Fulton Financial to compensate the plaintiffs for cases 5 18-cv-00987 and case 2:17-cv-02763 as demanded in their respective lawsuits.
- l. Other remedies the court deems appropriate
- m. Order the Democratic National Committee to also show why they are not a party to Religious discrimination.

- n. Order Susan Peipher Esquire, to be barred from participation in the Federal Court CM/ECF system.
- o. Order the United States Government to stop collecting or accessing penalties **FOR FAILURE** to comply *with*
established tenets or teachings of such sect or division of ANY religion in violation of the U.S.
Constitution amendment 1 and declare the ACA unconstitutional

Dated: ____, 2018 ____

BY THE COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JEFFREY CUTLER,

Plaintiff,

v.

ALAN SCHNITZER, et al,

Defendants.

CIVIL ACTION
NO. 17-5025

MEMORANDUM OPINION

Schmehl, J. /s/ JLS

October 4, 2018

I. INTRODUCTION

Plaintiff, Jeffrey Cutler, brings this *pro se* action against eleven defendants, including various individuals from East Lampeter Township, Lancaster County, Conestoga Valley School District, several private companies and law firms and an employee of the Pennsylvania Insurance Department. Plaintiff's "Complaint" is actually a 94-page document titled "Fraud on the Court and Motion for Summary Judgment," and is actually nothing more than documents from multiple prior cases that Plaintiff has been involved in. (Docket No. 1, Attachment # 1). The rambling allegations in this "Complaint" range from claims of religious bias to FBI surveillance to murder. All Defendants have moved to dismiss Plaintiff's Complaint for, *inter alia*, failure to properly effectuate service. For the reasons that follow, I will grant Defendants' Motions to Dismiss.

II. BACKGROUND AND STATEMENT OF FACTS

Plaintiff, Jeffrey Cutler, initiated this action in the United States District Court for the Middle District of Pennsylvania by way of a “Complaint” against all defendants on September 26, 2017. *See* M.D.Pa. Docket. On that same day, September 26, 2017, a Summons was issued and provided to Plaintiff only via U.S. Mail so he could effectuate service on Defendants in the manner prescribed by Rule 4 of the Federal Rules of Civil Procedure. Additionally, a Pro Se Letter with Notice & Consent Form and a Standing Practice Order was issued by the Court and sent to Plaintiff. Included with this material was the Proof of Service form that is required to be filed by the person serving the Summons and Complaint on Defendants unless a waiver of service is obtained from Defendants. *See* Proof of Service form.

It is difficult to determine from Plaintiff’s Complaint what his case is actually about, but it appears that his grievances stem from his duties as tax collector for East Lampeter Township. From the public court dockets contained in his filings, it appears that public officials acting on behalf of Lancaster County and East Lampeter Township determined that Cutler had failed to collect the legally required amounts of real estate taxes from landowners, and instituted legal proceedings against him. The Lancaster County Court of Common Pleas entered judgments against Cutler on January 26, 2017, for \$15,897.19 in favor of East Lampeter Township and on February 15, 2017, for \$40,411.64 in favor of Lancaster County, representing the amount of uncollected taxes. The Travelers Casualty and Surety Company of America had issued the surety bond to guarantee Cutler’s performance of his duties as tax collector. The state court records demonstrate that Travelers paid the judgments against Cutler in full.

On September 27, 2017, the Honorable Sylvia H. Rambo issued an Order dismissing Plaintiff's Complaint with prejudice finding that it "did not comply with [Federal] Rule [of Civil Procedure] 8 in any aspect and is not a proper pleading. The filing does not set forth a cause of action, how each of the eleven Defendants are involved, and provides no basis for jurisdiction." The Court further noted that even if proper, Plaintiff had improperly filed the matter in the Middle District of Pennsylvania and not the Eastern District of Pennsylvania, where the events at issue took place in Lancaster, Pennsylvania. *See* Order dated Sept. 27, 2017. On October 27, 2017, Plaintiff filed a Motion for Reconsideration and on November 6, 2017, Judge Rambo issued an Order granting Plaintiff's Motion for Reconsideration and transferring the matter to the Eastern District of Pennsylvania. *See* Order dated Nov. 6, 2017.

On May 2, 2018, this Court issued a Notice to Plaintiff that service of the Complaint had not been made on the Defendants and that service must be made by June 4, 2018, in accordance with Rule 4(m) of the Federal Rules of Civil Procedure. *See* Docket No. 2. On May 22, 2018, Plaintiff filed an Affidavit of Service. *See* Docket No. 3. The Affidavit of Service was completed by Plaintiff himself rather than the person who allegedly served the Complaint on the Defendants, did not contain the date that service was effectuated, and did not indicate the means of service as required by Rule 4. *See id.* Nonetheless, on June 4, 2018, Plaintiff filed a Motion for Default Judgment, asserting that a default should be entered as Defendants had failed to respond to Plaintiff's Complaint in a timely fashion. Included with the Motion for Default Judgment was an Affidavit in Support of Motion for Default Judgment, in which Plaintiff stated as follows:

I have certified on May 22, 2018 that the complaint was served on all defendant has responded as of this date even though the federal docket has stated that all summons were mailed on September 26, 2017.

III. LEGAL STANDARD

Rule 12 of the Federal Rules of Civil Procedure provides for the pleading of defenses and objections. More specifically, Rule 12(b)(5) states that “[e]very defense to a claim for relief in any pleading must be asserted in the responsive pleading if one is required. But a party may assert the following defenses by motion....(5) insufficient service of process...A motion asserting any of these defense must be made before pleading if a responsive pleading is allowed.” F.R.C.P. 12(b)(5).

IV. DISCUSSION

A. Service of Process

First, all defendants argue that this action should be dismissed against them because Plaintiff has failed to properly serve them. Rule 4 of the Federal Rules of Civil Procedure governs the issuance of a summons and the service of said summons. Pursuant to Rule 4, service of an individual within a judicial district of the United States can be effectuated by:

- (1) following the state law for serving a summons in an action brought in court of general jurisdiction in the state where the district court is located or where service is made; or
- (2) doing any of the following:
 - (A) delivering a copy of the summons and of the complaint to the individual personally;
 - (B) leaving a copy of each at the individual’s dwelling or usual place of abode with someone of suitable age and discretion who resides there; or
 - (C) delivering a copy of each to an agent authorized by appointment or by law to receive service of process.

F.R.C.P. 4(e).

The Commonwealth of Pennsylvania's rules of service under Pennsylvania Rule of Civil Procedure 402 states:

- (a) Original process may be served
 - (1) by handing a copy to the defendant; or
 - (2) by handing a copy
 - (i) at the residence of the defendant to an adult member of the family with whom he resides; but if no adult member of the family is found, then to an adult person in charge of such residence; or
 - (ii) at the residence of the defendant to the clerk or manager of the hotel, inn, apartment house, boarding house or other place of lodging at which he resides; or
 - (iii) at any office or usual place of business of the defendant to his agent or to the person for the time being in charge thereof.

Pa. R.C.P. 402. Rule 4(c)(1) places the responsibility for service of the summons and complaint upon the plaintiff. *See* F.R.C.P. 4(c)(1). Rule 4(c)(2) states that service of the summons and complaint can be made by “[a]ny person who is at least 18 years old and not a party”. F.R.C.P. 4(c)(2). To prove that service was effectuated, Rule 4(l) requires an Affidavit to be filed with the Court, with the Rule further requiring that the “proof must be by the server’s affidavit.” F.R.C.P. 4(l)(1).

The Affidavit that was filed by Plaintiff stated the following:

I Jeffrey Cutler do hereby certify I have had a copy of the complaint served to each person named above or their representative by persons not related to the case over the age of 18 for person in the state of Pennsylvania and by certified priority mail for individuals outside the state of Pennsylvania. The office of Pennsylvania Attorney General was served the complaint for Mr. McVey of the Pennsylvania Insurance Department.

See Docket No. 3.

This Affidavit of Service clearly does not meet the requirements of Rule 4. It is filed by Plaintiff and not the person who allegedly served the Complaint on the Defendants. It does not specifically address whether a sheriff, marshal, or other designated person served Defendants with the Complaint or whether Plaintiff followed the Commonwealth of Pennsylvania's rules as to service. Furthermore, it is clear that Plaintiff himself cannot serve the Complaint and be in compliance with Rule 4, as it requires service by a person who is not a party.

Additionally, the Affidavit only states that the Complaint was served but is silent as to the serving of the Summons, thus potentially violating Rule 4(C)(1). The Affidavit also violates Rule 4 as it does not contain any of the information contained in the Proof of Service that Plaintiff received from the Court. It does not provide the name of the person who allegedly made service on Defendants; the means by which the summons and complaint were served - whether it be through personal service on the defendant, through a person designated by law to accept service, or by other accepted means; it does not designate the date that service was allegedly effectuated; and it does not list the address of the person who allegedly effectuated service. *See* Docket No. 3. The Affidavit of Service also fails to provide the required information as it applies to each separate Defendant. Accordingly, Plaintiff has failed to properly serve any of the defendants in this matter, and his Complaint should be dismissed.¹

B. Motion for Default Judgment

Plaintiff's failure to effectuate proper service likewise requires that his motion for default judgment must be denied. First, the motion is not proper because it seeks entry of

¹ I note that Defendants Sam Janesh and Denise Cumins have not filed any response to Plaintiff's Complaint. However, as service of the Complaint and Summons in this matter was defective as to all defendants, including Janesh and Cumins, I will also dismiss Plaintiff's Complaint as to those defendants.

judgment without a default having first been entered by the Clerk, as required by Federal Rule of Civil Procedure 55(a). Additionally, as proper service is necessary for a court to acquire jurisdiction over a defendant, a motion for entry of default or default judgment should be denied when the plaintiff has failed to properly serve the summons and complaint. *Hedgespeth v. Hendricks*, 340 F. App'x 767, 770 (3d Cir. 2009) ("The District Court properly denied [the plaintiff's] Motion for Default Judgment as to defendant ... because [he] failed to effect service of the complaint."). Here, neither the form of Plaintiff's process nor the manner of attempted service was proper under Rule 4. The Court therefore lacks jurisdiction over Defendants, and the motion for default judgment should be denied

V. CONCLUSION

Clearly, Plaintiff has failed to properly serve process on the defendants in this matter, and his Complaint should therefore be dismissed. I am mindful of the fact that in civil rights cases, *pro se* plaintiffs often should be afforded an opportunity to amend a complaint before the complaint is dismissed in its entirety, *see Fletcher-Hardee Corp. v. Pote Concrete Contractors*, 482 F.3d 247, 253 (3d Cir.2007), unless granting further leave to amend is not necessary where amendment would be futile or result in undue delay, *Alston v. Parker*, 363 F.3d 229, 235 (3d Cir.2004). In this matter, it would clearly be futile to allow Plaintiff to amend. As stated by the Judge Rambo when she reviewed his "Complaint," it "did not comply with [Federal] Rule [of Civil Procedure] 8 in any aspect and is not a proper pleading. The filing does not set forth a cause of action, how each of the eleven Defendants are involved, and provides no basis for jurisdiction." I

fully agree with Judge Rambo, and accordingly, I will dismiss the complaint with prejudice.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LANCASTER



ORDER IMPOSING SENTENCE

Mag. Dist. No: MDJ-02-1-01
MDJ Name: Honorable Adam J. Witkonis
Address: 641 Union Street
Lancaster, PA 17603
Telephone: 717-299-7896

Commonwealth of Pennsylvania
v.
William McMichael III

William McMichael III
220 Rosedale Ave Ste 143
Bausman, PA 17504

Docket No: MJ-02101-NT-0000612-2020
Case Filed: 12/8/2020
OTN:

Charge(s)	
LO § 182 §§ 7D (Lead)	Failure to Provide copy of valid Contract to City within 21 Days of Notice of Violation

THIS IS TO NOTIFY YOU THAT:

On July 06, 2021, you were convicted of or pled guilty to violating the above charge(s) and I sentenced you to the following:

Fines, Costs, and Restitution

(Payments shall be made at the Magisterial District Court listed above. Payment is due immediately unless a payment plan schedule has been established and issued by the Magisterial District Judge. The court will disburse the restitution portion of the payment to City Of Lancaster.)

Collateral Amount:	\$0.00		
Fines:	\$2,607,000.00	Fines:	\$0.00
Costs:	\$157.75	Costs:	\$0.00
Restitution:	\$1,172.00	Restitution:	\$0.00
Total	\$2,608,329.75	Paid to date	\$0.00
		Case Balance	\$2,608,329.75

You have the right to appeal to the Court of Common Pleas within 30 days for a trial de novo. If you choose to file an appeal, you must appear for the trial de novo in the Court of Common Pleas or your appeal may be dismissed. If you are found not guilty, any money previously paid in this case will be returned to you. If you have any questions, please call this office immediately.

July 06, 2021

Date

Adam J. Witkonis

Magisterial District Judge Witkonis



You can make case payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <https://uisportal.pacourts.us/epay> to make a payment.



William McMichael Property: 17 New Dorwart Street Lancaster, PA 17603
Summary of file date *September 21, 2010 to present*

Reason for Initial Notice of Violation:

Notification of a child identified with an Elevated Blood Lead Level (EBLL), as per the Center for Disease Control and Prevention (CDC), was received by the city Health Officer Kim Wissler. The Environmental Inspection (EI) report was conducted on September 10, 2010 by Lisa Ulsh, RN, BSN, Lead Risk Assessor (PA#2690) in response to a child with an EBLL at 17 New Dorwart Street Lancaster, PA 17603. Based on the results of the EI it was found that a total of 90 readings were collected by Mrs. Ulsh with 48 readings showing a positive for Lead Based Paint (LBP). Lead in Dust sampling was also collected and analyzed by the Pennsylvania Department of Health, Bureau of Laboratories which found lead in dust higher than acceptable levels in the bedroom at a concentration of 887 μg per ft^2 . The EI, lead in dust sample report, and accompanying letter was mailed to Kim Wissler on September 13, 2010 and the copy of the report was mailed to the owner of the property, Mr. Mickey Wecksel & c/o Jeffrey Mohler, on September 21, 2010 by Mrs. Ulsh.

2010:

An initial letter was sent to the owner of record for the property located at 17 New Dorwart Street Lancaster, PA 17603 on **October 1, 2010** by Kim Wissler, Health Officer for the city of Lancaster. The content of this letter informed Mr. Mickey A. Weicksel and Mr. Jeff Mohler of the failed dust wipe clearance performed at the property. The letter further states that, "the owner(s) of the property have ten (10) days from the date of the letter to obtain the services of a state certified lead abatement contractor to remediate the lead contamination issues and thirty (30) days to remediate the contamination identified at this property".

On **October 22, 2010** Wil Perez, Housing Inspector/Lead Risk Assessor with the city of Lancaster, sent a letter requesting the presence of Mr. Weicksel and Mr. Mohler on October 27, 2010 at 17 New Dorwart Street for the purpose of evaluating the current and future remediation of the property. According to notes, the property owner did not know what was expected of him and no contract was in place for the remediation of the property.

On **December 2, 2010** another letter was sent to the owner(s) of record informing them of no contract being received by the city for the lead abatement required on the property. Another request to meet and discuss the requirements was set for **December 9, 2010** at 3:00pm at the housing/health office at Southern Market (100 S. Queen Street). No documentation exists of this meeting having occurred. On **December 20, 2010** a citation was issued to Jeff Mohler for failure to comply with the Lead Hazard reduction citations under amendment 182.7, by Wil Perez.

2011:

Citation issued on **February 14, 2011** for failure to abate lead hazard was withdrawn as it was found the Mr. Mohler is not a co-owner but instead receives mail on Mr. Weicksel's behalf. A new citation was issued on **March 17, 2011** for failure to abate lead hazard at 17 New Dorwart Street. On **May 2, 2011** a letter was sent to Mr. Weicksel requesting a meeting on **May 10, 2011** at 2:00pm to discuss the progress on the lead remediation at the property and a list of

William McMichael Property: 17 New Dorwart Street Lancaster, PA 17603
Summary of file date *September 21, 2010 to present*

certified contractors was provided, no record of this meeting occurring exists. Another citation for failure to abate the lead hazard was issued on **May 23, 2011** to Mr. Weicksel, this was a third offense citation. On **September 12, 2011** another letter requesting a meeting on September 22, 2011 at 2:30pm was sent for the purpose of discussing the progress at 17 New Dorwart, no record exists of this meeting occurring. On **October 14, 2011** a fourth citation with maximum fine request was issued by Wil Perez for failure to abate the lead hazard at the property. On **October 19, 2011** another letter was sent by Kim Wissler and Wil Perez, requesting a meeting on October 24, 2011 at 2:30pm to discuss the progress and requirements for the lead hazards. A Mr. William McMichael called Kim Wissler at 2:50pm and stated that he realized he missed the appointment and that no contract has been obtained.

On **October 26, 2011** the property in question (apartment 1) was condemned due to the continued failure to abate the lead hazard in the property. The letter of condemnation was sent via certified and first-class mail as well as hand delivered, and also informed the owner(s) of the Property Reinvestment Board process of claiming the property under eminent domain for adverse taking.

On **November 22, 2011** a notice was mailed by Wil Perez to Mr. Weicksel at FMC Devens in Ayer, MA and to Mr. William McMichael III in Lancaster, PA informing them of the failure of the lead dust wipes collected at the property and the requirement to abate the hazard by use of a state certified lead abatement contractor within thirty (30) days of the letter. On **December 2, 2011** a letter requesting to meet on December 13, 2011 at 2:30pm to Mr. Weicksel and c/o Mr. Mohler to discuss the remediation for the property.

On December 6, 2011, Mr. Weicksel mailed a letter asking Kim Wissler to provide proof that he is in fact the owner of the property at 17 New Dorwart Street and questioned who Mr. William McMichael is. Kim Wissler responded via mail on December 28, 2011 with a certified copy of the deed to the property showing Mr. Weicksel as the owner

2012:

Letter sent on **January 6, 2012** to Mr. Weicksel and Mr. Mohler requesting a meeting on January 24, 2011 to discuss the status of the lead remediation for the property, no record of this meeting occurring exists. On January 24, 2012 it was found via email between Gary Horning and Mr. Mohler, that Mr. McMichael has a vested interest in the property. On **February 1, 2012** a letter was sent via USPA to Mr. McMichael requesting a meeting to discuss the status of the property lead remediation, no record exists that this meeting took place, certified letter to Mr. McMichael was returned as unclaimed on February 28, 2012. Another letter requesting a meeting to discuss the status of the property was mailed to Mr. McMichael on **March 8, 2012** requesting to meet on March 19, 2012 at 2:00pm and was returned as unclaimed. Additional letters were sent on May 15th requesting a meeting on May 31, 2012 at 9:00am, July 11th requesting a meeting on July 24, 2012 at 2:00pm, and August 13th requesting a meeting on August 28, 2012 at 2:00pm to discuss the status shows no record existing of these meetings having occurred.

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On **September 26, 2012** another letter was sent to Mr. McMichael requesting a meeting to discuss the status of the property on October 11, 2012 at 1:00pm. Mr. McMichael contacted Wil Perez to inform them that he would not be able to make that appointment due to a court settlement scheduled at the same time, requested meeting be moved to October 23. On **October 11, 2012** a letter was sent requesting the meeting on October 23rd, as per Mr. McMichael's request at 1:00pm. As per comment notes for this meeting, Mr. McMichael did not replace a door and was instructed to have it in place by Friday or a citation would be issued, it was also found that no contract with a state certified lead abatement contractor is in place.

A letter sent by Kim Wissler and Wil Perez on **October 24, 2012** stated that, "as per our notes, you have not provided us with a valid written contract for the lead remediation at your property and that Chapter 182-7-1A (3) requires a written contract and scope of work be provided to the city within fifteen (15) days of the Notice of Violation".

On **November 2, 2012** another letter requesting to meet and discuss the status of the property was sent to Mr. McMichael for a meeting to occur on November 26, 2012 at 2:00pm. Mr. McMichael responded on November 21, 2012 that he thought he would be available for the meeting, but Judge David L. Ashworth ordered him to file a concise answer on that date.

On **December 26, 2012** a request was made to meet with Mr. McMichael on January 10, 2013 at 1:00pm to discuss the status of the property, no record exists that this meeting took place.

2013:

On **January 23, 2013** a letter requesting a meeting on February 12, 2013 was sent to Mr. McMichael to discuss the progress at the property, no documentation exists that this meeting took place. On **March 20, 2013** a letter requesting Mr. McMichael to attend a meeting on April 3, 2013 at 2:00pm for discussing the progress at the property. Mr. McMichael had responded that he would not be able to make that appointment due to "unexpected complications in the commonwealth court". Another letter requesting a meeting with Mr. McMichael was sent on **June 20, 2013** for a meeting on July 1, 2013 at 2:00pm. On June 28, 2013 Mr. McMichael replied with, "Judge Jeffrey Wright of Lancaster Common Please Court has me working on a very short time to complete a job. So, I will not be available of July 1. If you want to reschedule mid-august would be best".

On **August 5, 2013** a letter requesting a meeting to discuss the property was set for August 13, 2013 at 2:00pm. According to notes on the meeting Mr. McMichael stated that the work was completed in March but that he did not have time to clean and that the clearance cannot be done. No contract has been received or reviewed by the city indicating that the work was completed by a state certified lead abatement contractor. A citation was issued to Mr. McMichael on August 13, 2013 for failure to abate the lead hazards in the property.

On **November 7, 2013** a letter requesting a meeting with Mr. McMichael was set for November 20, 2013 at 1:30pm, to which Mr. McMichael was a no show for this appointment. On **November 20, 2013** a letter from Mr. Jeffrey Mohler was received stating that,

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"I have represented MR. William McMichael in the past. He has asked me to write this letter on his behalf. His position is that this property was lead abated many months ago. The window sill in question was wet scraped and all the lead paint chips were properly disposed of. Mr. McMichael is a certified lead abatement contractor and you should consider this property completely remediated. The lead abatement would have been completed much sooner had somebody not stolen Mr. McMichael's tools, equipment, and supplies that were located at the job site"

On **November 20, 2013** Kim Wissler and Wil Perez sent a letter informing Mr. Mohler that the city, pursuant to Chapter 182-7 requires a clearance examination and submitted report for the property, and to date one has not been received.

2014:

On **February 19, 2014** Wil Perez and Kim Wissler sent a letter requesting a meeting with Mr. McMichael on March 17, 2014 at 2:00pm to discuss the progress at the property. According to the notes of that meeting, Mr. McMichael was required to complete a Risk Assessment within thirty (30) days.

On **April 14, 2014** Wil Perez and Kim Wissler sent a letter requesting a meeting with Mr. McMichael on April 21, 2014 at 1:00pm to discuss the progress at the property. Mr. McMichael responded to this request on April 23, 2014 with, "Today I received this notice. I am not sure why". On **July 2, 2014** Wil Perez and Kim Wissler sent a letter requesting a meeting with Mr. McMichael on July 15, 2014 at 1:00pm to discuss the progress at the property, according to notes by Kim Wissler on July 15, 2014, Mr. McMichael refused to complete the required Risk Assessment stated at previous meeting.

Two citation were sent to Mr. McMichael for failure to provide a clearance report to the city, with the first on January 2, 2014 and the second on April 21, 2014.

2015:

On **March 4, 2015** a Notice of Violation was sent to Mr. Weicksel and Mr. Mohler regarding housing violations found by Housing Inspector Corey Lloyd which include; plumbing system hazards, heat supply lacking, no smoke detector/wrong smoke detector type, handrails needed, repair of interior surfaces, locate and repair water leak, install of light fixtures above kitchen sink, and removal of mold from under kitchen sink.

On **May 6, 2015** a letter was sent by Kim Wissler and Wil Perez to set a meeting with Mr. McMichael on May 20, 2015 at 9:00am to discuss the progress on the property, no documentation exists to show this meeting took place. On **November 10, 2015** Housing Inspector Mike Bireley sent a letter requesting entry into the property for a code compliance inspection on November 16, 2015 at 1:00pm. On **November 16, 2015** a letter was sent by Wil Perez scheduling an interior inspection of the property on November 25, 2015 at 9:30am. No documentation in found to indicate these interior inspections were conducted.

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On **September 26, 2012** another letter was sent to Mr. McMichael requesting a meeting to discuss the status of the property on October 11, 2012 at 1:00pm. Mr. McMichael contacted Wil Perez to inform them that he would not be able to make that appointment due to a court settlement scheduled at the same time, requested meeting be moved to October 23. On **October 11, 2012** a letter was sent requesting the meeting on October 23rd, as per Mr. McMichael's request at 1:00pm. As per comment notes for this meeting, Mr. McMichael did not replace a door and was instructed to have it in place by Friday or a citation would be issued, it was also found that no contract with a state certified lead abatement contractor is in place.

A letter sent by Kim Wissler and Wil Perez on **October 24, 2012** stated that, "as per our notes, you have not provided us with a valid written contract for the lead remediation at your property and that Chapter 182-7-1A (3) requires a written contract and scope of work be provided to the city within fifteen (15) days of the Notice of Violation".

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On **December 26, 2012** a request was made to meet with Mr. McMichael on January 10, 2013 at 1:00pm to discuss the status of the property, no record exists that this meeting took place.

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On **August 5, 2013** a letter requesting a meeting to discuss the property was set for August 13, 2013 at 2:00pm. According to notes on the meeting Mr. McMichael stated that the work was completed in March but that he did not have time to clean and that the clearance cannot be done. No contract has been received or reviewed by the city indicating that the work was completed by a state certified lead abatement contractor. A citation was issued to Mr. McMichael on August 13, 2013 for failure to abate the lead hazards in the property.

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William McMichael Property: 17 New Dorwart Street Lancaster, PA 17603
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2017:

On **July 6, 2017** a letter was sent to Mr. Weicksel to set a meeting for July 20, 2017 at 9:45am, no record exists indicating this meeting took place. On **November 14, 2017** a letter was sent to Mr. McMichael requesting a meeting on November 28, 2017 at 8:00am to discuss the status of the property and the process to remediate the lead contamination, no record exists that this meeting took place. On **November 28, 2017** a letter was sent to Mr. Isaac Santiago in c/o Mrs. Judy Gonzalez to discuss the lead contamination and status of the property. Kim Wissler and Wil Perez were notified that Mr. Santiago was the prospective new owner of the property, as of current Mr. Santiago is not listed as an owner for this property.

Current Status Evaluation by City Lead Inspector, Kevin Kauffman:

02/11/2019: At current, the property remains condemned with no tenant apparently evident at the property. This property has been in condemnation status for approximately eight (8) years and no contract or scope of work by a state licensed and certified abatement contractor has been received for evaluation. It has been specified, according to the letter from Mr. McMichael's lawyer, that Mr. McMichael is a certified lead abatement contractor. According to the Pennsylvania Department of Labor and Industry (PADOLI) website and talks with PADOLI personnel, Mr. McMichael is not now, nor has been, certified in lead abatement work as per PA DOLI rules and regulations and under 40 CFR. Mr. McMichael has provided certification as a lead renovator (8-hour Initial) through Cocciardi and Associates on March 20, 2017, and is a valid certification for 5 years, expiring on March 20, 2022. This certification does not grant Mr. McMichael the authority to conduct lead abatement work in the state of Pennsylvania, nor does it provide him with the knowledge, skills, and abilities to declare a property as lead safe/lead free. The Renovator certification does not allow for the certified person to collect samples, inspect properties, or provide recommendations regarding the abatement of identified lead hazards. Additionally, with the amount of time that has passed since the initial lead paint inspection/environmental inspection and the amount of work that has been conducted by non-certified personnel, a new lead paint inspection will be required for the entire structure prior to beginning any further repairs and abatements to the property. Based on the time frame provided to Mr. McMichael, December 22, 2011 was the deadline for completion of abatement of all lead hazards at the property. Pursuant to Chapter 182-19A of the city Lead Ordinance, "In addition to any other sanction or remedial procedure, any owner or occupant or other person who violates any provision of this chapter, upon conviction thereof, shall be fined not less than \$300 and not more than \$1000, plus costs and/or other charges assessed hereunder, such as but not including tenant relocation costs, be confined to jail not exceeding 30 days, or both, unless otherwise stipulated within this chapter. **Each day's continuance of a violation shall constitute a separate offense**". Under the premise of Chapter 182-19A and the deadline date provided to Mr. McMichael of December 22, 2011 (2607 days), the fine issuance should be no less than \$782,100 (+costs) to a maximum of \$2, 607,000 (+costs). Due to the uncooperativeness of the property owner and the length of time given to comply with specified city ordinance, the maximum fine is recommended.

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All documentation and status evaluation is true and accurate to my knowledge at the time of writing this summary.

Kevin Kauffman

Lead Inspector (Lead Risk Assessor PADOLI 6181)/Property Maintenance Inspector/ Healthy Homes Specialist

City of Lancaster

Kim Wissler

City Health Officer/ Lead Risk Assessor (PADOLI 5320)

City of Lancaster

Wil Perez

Housing Inspector/ Lead Risk Assessor (PADOLI 5211)

City of Lancaster

[ORAL ARGUMENT NOT YET SCHEDULED]

USDC-EDPA
REC'D CLERK

2021 JUN -3 P 1: 26

In The
**United States Court of Appeals
for the Third Circuit**

21-1318

UNITED STATES OF AMERICA, et al.
Plaintiff-Appellees

v.

ALANZO LAMAR JOHNSON
Defendants-Appellant

JEFFREY CUTLER
Intervenor Defendant-Appellant

*Appeal from the Order/Judgment entered May 19, 2021 in the United States District
Court for the Western District of Pennsylvania at No. 2:08-cr-00374-13*

**DEFENDANT-APPELLANT'S PETITION FOR HEARING
EN-BANC**

**BECAUSE OF CRIMES (18 U.S. Code § 1519 -
Destruction, alteration, or falsification of records), 18 U.S.
Code § 872 - EXTORTION BY OFFICERS OR
EMPLOYEES OF THE UNITED STATES, 18 U.S.C. § 3
ACCESSORY AFTER THE FACT
MURDER, BANKRUPTCY FRAUD, 15 U.S.C. §§ 78dd-1, &
MAIL FRAUD AND TO COMBINE CASES FOR
JUDICIAL EFFICIENCY AND SUMMARY JUDGEMENT**

ORAL ARGUMENTS REQUESTED




Department Of State Tells Counties To Have New Voting Systems In Place By End Of 2019

04/17/2018

Harrisburg, PA – Acting Secretary of State Robert Torres today informed Pennsylvania's counties to have voter-verifiable paper record voting systems selected no later than December 31, 2019, and preferably in place by the November 2019 general election. He also announced the commonwealth will receive nearly \$14 million in federal funding to assist counties with replacement.

'We have been planning for some time to bring Pennsylvania's voting machines up to 21st-century standards of security, auditability and resiliency,' Torres said. 'The federal assistance could not come at a more opportune moment.'

Pennsylvania's allocation of \$13.5 million comes from Congress' recent appropriation of \$380 million for election security  under the Omnibus Appropriations Act of 2018. The funding is being distributed under provisions of the Help America Vote Act of 2002. Each state's allocation requires a 5-percent state match, bringing Pennsylvania's total funding package to \$14.15 million.

The administration is committed to working with the legislature to help fund these voting system upgrades, including but not limited to the consideration of future year cost-sharing arrangements which could use local, state, and federal dollars.

Last week the department released an Invitation For Bid (IFB) for new voting systems, directing that new systems meet enhanced security and auditability standards. The IFB updated an existing state-negotiated agreement with vendors and can be used by counties to purchase voting systems that meet the department's certification requirements.

'We want to bring about the system upgrades so Pennsylvania voters are voting on the most secure and auditable equipment as promptly as feasible as possible, while also being supportive of the counties' need to plan and budget for the new systems,' Torres said.

The department is also exploring every option to help fund or finance the upgrades, including lease agreements, grant opportunities, state, local, and additional federal appropriations, partnerships, bonds, and more.

To kick off public education about new voting systems on the market, the department plans to hold a vendor demonstration April 26 at the F&S Show complex. The event will provide an opportunity for county and state officials, legislators, the media, and the public to explore the features and options offered by the new machines. Details on the event will be forthcoming.

Counties will be able to choose from among any of the voting systems examined and certified after January 1, 2018, by both the federal Election Assistance Commission and the Secretary of the Commonwealth. To date, one system has been certified, and several others will follow in the summer and fall of 2018. Information regarding the examination and certification process (PDF) can be found on the department website. The department will provide extensive support and guidance to the county Boards of Election and voters to ensure a smooth transition to the new systems.

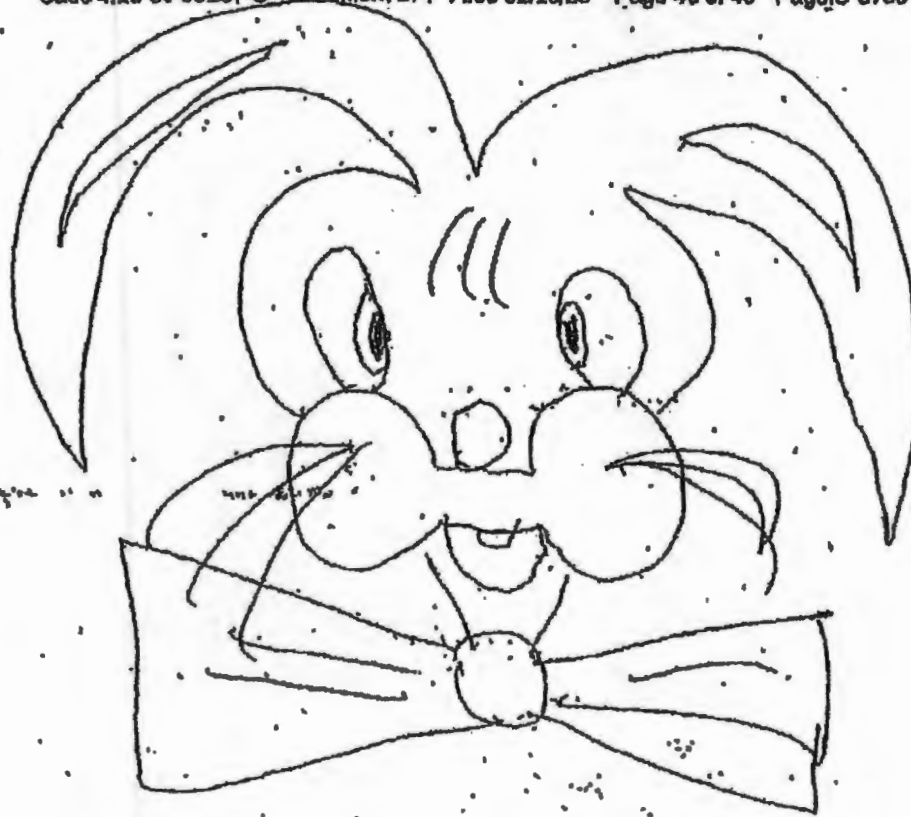
In the meantime, Pennsylvania is employing extensive measures and partnering with federal and state law enforcement agencies to stay one step ahead of any threats to our security and infrastructure, including comprehensive monitoring and assessment of risk, fortification of physical and cyber security, training and resources to counties and partners, and increasing communications at all levels.

MEDIA CONTACT: Wanda Murren, 717-783-1621

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HARVEY